



CITY OF BELLEVUE 2008 STORMWATER MANAGEMENT PROGRAM (SWMP)

City of Bellevue, WA
March 2008



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CITY OF BELLEVUE 2008 STORMWATER MANAGEMENT PROGRAM

1. INTRODUCTION

1.1 Overview and Background

The National Pollutant Discharge Elimination System (NPDES) permit program is a requirement of the federal Clean Water Act, which is intended to protect and restore waters for “fishable, swimmable” uses. The federal Environmental Protection Agency (EPA) has delegated permit authority to state environmental agencies. In Washington, the NPDES-delegated permit authority is the Washington State Department of Ecology (Ecology).

Municipalities with a population of over 100,000 (as of the 1990 census) have been designated as Phase I communities and must comply with Ecology’s Phase I NPDES Municipal Stormwater Permit. With Bellevue’s 1990 census falling below the 100,000 threshold, the City must comply with the Phase II Municipal Stormwater Permit. About 100 other municipalities in Washington must now comply with the Phase II Permit, along with Bellevue, as operators of small municipal separate storm sewer systems (MS4s).

The Permit allows municipalities to discharge stormwater runoff from municipal drainage systems into the State’s waterbodies (i.e., streams, rivers, lakes, wetlands, etc.) as long as municipalities implement programs to protect water quality by reducing the discharge of “non-point source” pollutants to the “maximum extent practicable” (MEP) through application of Permit-specified “best management practices” (BMPs). The practices specified in the Permit are collectively referred to as the Stormwater Management Program (SWMP) and grouped under the following Program components:

- Public Education and Outreach
- Public Involvement
- Illicit Discharge Detection and Elimination
- Runoff Controls
- Pollution Prevention and Municipal Operations and Maintenance
- Monitoring

The Permit requires the City to report annually (March 31st of each year) on progress in Program implementation for the prior year. The Permit also requires submittal of documentation that describes proposed Program activities for the coming year. Implementation of various Permit conditions is phased throughout the five-year Permit term from February 16, 2007 through February 15, 2012. The Permit will be revised and reissued at the end of this period.

As of March 31st, 2008 the City meets the initial Permit requirements. This report is the City’s Draft Stormwater Management Program compliance document. The remainder of this 2008 SWMP document describes actions Bellevue will take to maintain compliance over the second year of the Permit term (i.e., February 16, 2008 through February 16, 2009).

1.2 Phased Implementation of Permit Requirements

Ecology began work on the Phase II Municipal Stormwater Permit for Western Washington in the fall of 2004 and posted a preliminary draft for public comment on May 16, 2005. Ecology released a formal draft of the Permit in February 2006 and issued the final Permit on January 17, 2007. The Permit issued by Ecology became effective on February 16, 2007 and expires on February 15, 2012.

Ecology is phasing in many of the Permit requirements over the five-year Permit term. On March 31 of each year, beginning in 2008, the City must:

1. Submit its Stormwater Management Program (SWMP) document to Ecology describing compliance activities planned for the coming year.
2. Post the SWMP document on the web.
3. Submit an annual report documenting Permit compliance activities for the previous calendar year.

This document includes the following attachments:

- Appendix A- Western Washington Phase II Municipal Stormwater Permit Special and General Conditions
- Appendix B- Annual Report Form for Cities, Towns, and Counties (Appendix 3 of the Permit).
- Appendix C- Acronyms and Definitions from the Permit.
- Appendix D- Ecology's Draft Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater General Permits.

Additional Permit information is located on Ecology's website:

http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phase_II_ww/ww_ph_ii-permit.html.

1.3 Department Responsibilities

The Permit requirements affect departments across the City organization. One difficulty in assigning lead departments to address Permit sections is that those sections do not divide cleanly along department divisional lines. To encourage collaboration and efficient use of resources the City plans to charter implementation teams for each Permit component. These teams would consist of members from affected departments. Those departments include Utilities, Planning and Community Development (PCD), Information Technology (IT), Civic Services, Fire, City Attorney's Office (CAO) including Risk Management (Risk), Finance, Parks and Community Services (Parks), Transportation (Trans.), Human Resources (HR), Police, City Clerk's Office, and the City Manager's Office (CMO).

1.4 Document Organization

The content in this document is based upon Permit requirements and Ecology's Draft Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater Permits. The remainder of the Stormwater Management Program document is organized similarly to the Permit:

- **Section 2.0** addresses Permit requirements for administration of the City's Stormwater Management Program for 2008.
- **Section 3.0** addresses Permit requirements for Public Education and Outreach for 2008.
- **Section 4.0** addresses Permit requirements for Public Involvement and Participation for 2008.
- **Section 5.0** addresses Permit requirements for Illicit Discharge Detection and Elimination for 2008.

- **Section 6.0** addresses Permit requirements for Controlling Runoff from New Development, Redevelopment and Construction Sites for 2008.
- **Section 7.0** addresses Permit requirements for Pollution Prevention and Operation and Maintenance for Municipal Operations for 2008.
- **Section 8.0** addresses Permit requirements for the Water Quality Monitoring section of the Permit for 2008.

Each section includes a summary of the relevant Permit requirements and a description of current and planned compliance activities.

CITY OF BELLEVUE 2008 STORMWATER MANAGEMENT PROGRAM

2. STORMWATER MANAGEMENT PROGRAM ADMINISTRATION

This Section describes Permit requirements related to overall Stormwater Management Program administration, including current and planned compliance activities.

2.1 Permit Requirements

The Permit (Section S5.A) requires the City to:

- Develop and implement a Stormwater Management Program and prepare written documentation (SWMP document) for submittal to Ecology on March 31, 2008; and update the Program annually thereafter. The purpose of the Program is to reduce the discharge of pollutants from the municipal stormwater system to the maximum extent practicable (MEP) thereby protecting water quality. The Program is to include the actions and activities described in Sections 3 through 8 of this SWMP document.
- Submit annual compliance reports beginning in 2008 to Ecology by March 31st (for the previous calendar year). These reports are to summarize SWMP implementation status and present information from assessment and evaluation activities conducted during the reporting period.

2.2 Current Activities

The City currently has in place activities and programs that meet the Permit requirements. Current activities associated with the above Permit requirements include:

- The City is on track to comply with Ecology's requirements for submittal of the SWMP documentation by March 31, 2008. The Utilities Department is currently leading City development of the future planned activities along with an internal Steering Committee.
- The City is on track to comply with Ecology's requirements for submittal of the first Annual Compliance Report by March 31, 2008.

2.3 Planned Activities

Bellevue is currently compliant with the initial conditions of the Permit. The City has also positioned itself to maintain compliance as Ecology phases in the future Permit deadlines. Actions recommended for continued compliance include:

- Creating an on-going NPDES implementation management group and organizational structure.
- Defining and implementing SWMP implementation cost accounting strategy.
- Defining and implementing an NPDES training program, including a tracking system.
- Defining roles and responsibilities and developing processes and procedures for completing updates to the 2008 SWMP document and the Annual Compliance Report annually for submittal to Ecology on March 31st.

Table 2-1 is the work plan for 2008 SWMP Administration activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 2-1 2008 Stormwater Management Program Administration Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
SWMP-1	Create an NPDES implementation management group and organizational structure.	Utilities	All	Complete in 2008.
SWMP-2	Define NPDES cost accounting strategy & tracking system (to begin tracking costs Jan 2009)	Finance + IT	All	Complete in 2008.
<i>SWMP-2.1</i>	Itemize potential costs and determine which are covered by Permit and devise tracking options.	Utilities + PCD/DS	All	
<i>SWMP-2.2</i>	Review options with Directors/CMO/legal and validate with ITGC.	Finance + IT	All	
<i>SWMP-2.3</i>	Define, implement, and maintain accounting structure for tracking system(s) for time spent on each component of Permit.	Finance + IT	All	
<i>SWMP-2.4</i>	Train City staff to use NPDES cost tracking system.	Finance + IT	All	
SWMP-3	Develop NPDES training management structure & tracking system	HR + IT	All	Begin in 2008.
<i>SWMP-3.1</i>	Define NPDES training modules and staff attendance requirements.	Utilities + PCD/DS	All	
<i>SWMP-3.2</i>	Identify and implement training tracking system	HR + IT	All	
SWMP-4	Define and implement strategy/system for managing NPDES processes & procedures.	Utilities + IT	All	Begin in 2008.
SWMP-5	Develop overall strategy for code updates required by individual Permit components.	Utilities + PCD/DS + CAO	All	Begin in 2008.
SWMP-6	Summarize annual activities for "Stormwater Management Program" component of Annual Report; identify any updates to Program document.	Utilities	All	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

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3. PUBLIC EDUCATION AND OUTREACH

This Section describes the Permit requirements related to Public Education and Outreach, including current and planned compliance activities.

3.1 Permit Requirements

The Permit (Section S5.C.1) requires the City to:

- Prioritize and target education and outreach activities to specified audiences, including general public, businesses, residents/homeowners, landscapers, property managers, engineers, contractors, developers, review staff and land use planners and other City employees to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts.
- Have an outreach program that is designed to achieve measurable improvements in the target audience's understanding of the problem and what they can do to solve it.
- Track and maintain records of public education and outreach activities.

3.2 Current Activities

The City currently has activities and programs that meet the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City currently conducts numerous education and outreach activities that addressing stormwater management. These programs directly address general public, residents/homeowners, businesses, developers, contractors, engineers and some industries and include but are not limited to:
 - Car wash kits
 - Storm drain stenciling
 - Natural yard care neighborhood program
 - Commercial surface water pollution prevention technical assistance
 - Commercial financial incentives
 - General communication
 - Used motor oil and hazardous waste recycling program
 - Elementary school assemblies and workshops program
 - Advanced placement environmental science presentation and support
 - Powerful Choices for the Environment
 - Natural Resources Week
 - Stream team workshops
 - Stormwater maintenance and best management practices technical outreach through the municipal stormwater operations and maintenance and private drainage inspection programs

- Development services one-stop resource center provides publications on and makes staff available to provide stormwater construction and development and redevelopment outreach.
- The City is conducting a survey to create an awareness baseline from which to measure future improvements and is participating in a regional effort to find effective ways to track measurable improvements.
- The City tracks its education and outreach efforts.

3.3 Planned Activities

Bellevue has a public education and outreach program, but will need to update the program to maintain compliance as Ecology phases in the Permit requirements. Actions recommended for continued compliance include:

- Continuing collaboration with other NPDES municipalities to identify appropriate program evaluation techniques.
- Implementing new or modify existing education and outreach activities, including tracking and success monitoring.
- Evaluating understanding and adoption of target behaviors.
- Summarizing annual activities for the "Public Education and Outreach" components of the Annual Compliance Report; identifying updates to the Program document.

Table 3-1 is the work plan for 2008 SWMP public education and outreach activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 3-1 2008 Public Education and Outreach Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
EDUC-1	Charter City implementation team.	Utilities + PCD/DS	All	Complete in 2008.
EDUC-2	Continue collaboration with other NPDES municipalities to identify appropriate program evaluation techniques.	Utilities + PCD/DS	All	Continue through 2008.
EDUC-3	Develop NPDES plan (strategy/priorities) to supplement existing education activities.	Utilities + PCD/DS	All	Begin in 2008.
EDUC-4	Develop strategy/process to evaluate understanding and adoption of target behaviors.	Utilities + PCD/DS	All	Begin in 2008 to be completed by February 2009.
EDUC-5	Summarize annual activities for "Public Education and Outreach" component of Annual Report; identify any updates to Program document.	Utilities + PCD/DS		The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

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4. PUBLIC INVOLVEMENT

This Section describes the Permit requirements related to Public Involvement, including current and planned compliance activities.

4.1 Permit Requirements

The Permit (Section S5.C.2) requires the City to:

- Provide ongoing opportunities for public involvement through advisory boards and commissions, watershed committees, public participation in developing rate structures and budgets, stewardship programs, environmental activities or other similar activities. The public must be able to participate in the decision-making processes involving the development, implementation and update of the Program.
- Make the SWMP document and Annual Compliance Report available to the public, including posting on the City's website. Make other documents required to be submitted to Ecology in response to Permit conditions available to the public.

4.2 Current Activities

The City currently has activities and programs that meet the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City has already defined a series of public involvement activities intended to meet the Permit requirements for public involvement in development of the first Stormwater Management Program. This process involves a presentation of the proposed SWMP elements at a public hearing before the City's Environmental Services and Planning Commissions, as well as a presentation to the City Council.
- The City plans to make the SWMP document and Annual Compliance Report available to the public on the City website.

4.3 Planned Activities

Bellevue has a history of including the public in decision making on environmental issues. Actions recommended for continued compliance include:

- Defining public involvement opportunities for annual SWMP update and reporting process.
- Making SWMP document and Annual Compliance Report available to public by posting on the City website.
- Summarizing annual activities for the "Public Involvement and Participation" component of the Annual Report; including updates to the SWMP.

Table 4-1 is the work plan for 2008 SWMP public involvement activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 4-1 2008 Public Involvement Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
PI-1	Charter City implementation team.	Utilities	All	Complete in 2008.
PI-2	Define public involvement opportunities for annual Program update and reporting process.	Utilities	All	Process has already been defined for March 31 st , 2008 submittal. Ongoing process to be defined prior to March 31, 2009.
PI-2.1	Implement public involvement opportunities.	Utilities	All	
PI-3	Make SWMP document and Annual Compliance Report available to public by posting on the City website.	Utilities	IT	Complete before March 31, 2008.
PI-4	Summarize annual activities for "Public Involvement and Participation" component of Annual Report; identify any updates to Program document.	Utilities	All	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

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5. ILLICIT DISCHARGE DETECTION AND ELIMINATION

This Section describes the Permit requirements related to Illicit Discharge Detection and Elimination (IDDE), including current and planned compliance activities.

5.1 Permit Requirements

The Permit (Section S5.C.3) requires the City to:

- Implement an ongoing program to detect and remove illicit discharges, connections and improper disposal, including any spills into the municipal separate storm sewers owned or operated by the City. An illicit discharge means “any discharge to a municipal storm system that is not composed entirely of stormwater...” and illicit connection means “any man-made conveyance that is connected to a municipal storm system without a permit (excluding roof drains and other similar type connections) such as sanitary sewer connections, floor drains, etc.”
- Develop a storm sewer system map, have ordinances that prohibit illicit discharges, and create a program to detect and address illicit discharges.
- Publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Track illicit discharge reports and actions taken in response through close-out, including enforcement actions.
- Train Program staff on proper IDDE response procedures and processes and to recognize and report illicit discharges.
- Summarize all illicit discharges and connections reported to the City and response actions taken, including enforcement actions, in the Annual Compliance Report; including updates to the SWMP document.

5.2 Current Activities

The City currently implements activities and programs that meet the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City currently has an IDDE program.
- The City maintains an up-to date storm sewer map in multiple electronic formats and has standard operating procedures (SOPs) for keeping the municipal separate storm sewer system map and inventory up-to-date. The map is updated with new facilities or corrected for inconsistencies based on field verification.
- City codes and standards have sections that address illicit discharges and civil infractions.
- The City runs a hotline that allows citizens to report illicit discharges or illicit dumping. The calls to the hotline are usually recorded and then distributed to the appropriate response authority according to a spill response matrix.

5.3 Planned Activities

Bellevue has an illicit discharge detection and elimination program but will need to update current efforts in order to maintain compliance as Ecology phases in Permit requirements. Actions recommended for continued compliance include:

- Developing and implementing a City-wide IDDE Program.
- Reviewing and updating codes.
- Reviewing and developing additional public education outreach and SOPs for minimizing pollutant releases from permitted non-stormwater discharges.
- Developing and implementing a stormwater outfall illicit discharge screening program.
- Reviewing and revising upstream illicit discharge source control program to respond to illicit discharges found and/or reported.
- Selecting and implementing IDDE issue tracking/resolution system.
- Creating IDDE training program.
- Summarizing annual activities for the "Illicit Discharge Detection and Elimination" component of the Annual Report; including updates to the SWMP document.

Table 5-1 is the work plan for 2008 SWMP illicit discharge detection and elimination activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 5-1 2008 Illicit Discharge Detection and Elimination Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
IDDE-1	Charter City implementation team.	Utilities	All	Complete in 2008.
IDDE-2	Define City-wide IDDE Program per Permit conditions and develop supplemental IDDE activities as needed.	Utilities	All	Begin in 2008.
IDDE-3	Continue updating storm system map to address data gaps and Permit conditions.	Utilities	IT	On-going.
IDDE-3.1	Correct and/or add missing or questionable attribute and connectivity data and clarify questionable storm system ownership (private or public).	Utilities	IT	
IDDE-3.2	Ensure all required attributes documented for outfalls greater than or equal to 24" in diameter.	Utilities	IT	
IDDE-3.3	Revise SOPs for updating GIS layers with new storm system connection information and address missing or questionable data issues as needed.	Utilities	IT	
IDDE-4	Review and update codes as needed to address IDDE Permit requirements.	Utilities	All	Begin in 2008.
IDDE-4.1	Select code update approach (new code versus existing).	Utilities	All	
IDDE-5	Review and develop additional public education outreach and SOPs for permitted illicit discharges.	Utilities + PCD/DS	All	Begin in 2008.

Table 5-1 2008 Illicit Discharge Detection and Elimination Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
IDDE-6	Revise current IDDE response process into a standard, city-wide IDDE response and enforcement process and procedure.	Utilities	All	Begin in 2008.
<i>IDDE-6-1</i>	Coordinate with requirements of other permits and resource agencies.	Utilities	All	
<i>IDDE-6-2</i>	Revise response roles in pollutant spill response matrix.	Utilities	All	
<i>IDDE-6-3</i>	Revise immediate response procedures.	Utilities	All	
<i>IDDE-6-4</i>	Create standard enforcement process and procedure based on revised codes.	Utilities	All	
IDDE-7	Select issue tracking/resolution system and tie into current and/or new "hotline" for public reporting of spills and other illicit discharges.	Utilities + PCD/DS + IT	All	Begin in 2008.
<i>IDDE-7-1</i>	Research alternatives.	Utilities + PCD/DS + IT	All	
<i>IDDE-7-2</i>	Configure and deploy system.	Utilities + PCD/DS + IT	All	
<i>IDDE-7-3</i>	Set up queries for Annual Report.	Utilities + PCD/DS + IT	All	
IDDE-8	Develop training curricula and define staff training requirements.	Utilities	All	Begin in 2008.
IDDE-9	Incorporate awareness of illicit discharges into public outreach and education program.	Utilities + PCD/DS	All	Begin in 2008.
IDDE-10	Summarize annual activities for "Illicit Discharge Detection and Elimination" component of Annual Report; identify any updates to Program document.	Utilities	All	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

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6. CONTROLLING RUNOFF FROM NEW DEVELOPMENT, REDEVELOPMENT AND CONSTRUCTION SITES

This Section describes the Permit requirements related to Controlling Runoff from New Development, Redevelopment and Construction Sites, including current and planned compliance activities.

6.1 Permit Requirements

The Permit (Section S5.C.4) requires the City to:

- Develop, implement, and enforce a program to reduce pollutants in stormwater runoff (i.e., illicit discharges) to the municipal separate storm sewer system from new development, redevelopment and construction site activities. The program must apply to both private and public projects, including roads, and address all construction/development-associated pollutant sources.
- Adopt regulations (codes and standards) and implement plan review, inspection, and escalating enforcement processes and procedures necessary to implement the program in accordance with Permit conditions, including the minimum technical requirements in Appendix 1 of the Permit (i.e., 2005 Ecology Stormwater Management Manual for Western Washington, equivalent Phase I Manual or one of the Manual options with a Bellevue-specific basin-planning overlay).
- Provide provisions and processes and procedures (plan review, inspection, and enforcement) to allow non-structural preventive actions and source reduction approaches such as Low Impact Development techniques (LID), measures to minimize the creation of impervious surfaces and measures to minimize the disturbance of native soils and vegetation.
- Adopt regulations (codes and standards) and provide provisions to verify adequate long-term operations and maintenance of new post-construction permanent stormwater facilities and best management practices (i.e., private drainage system inspections) in accordance with Permit conditions, including an annual inspection frequency and/or approved alternative inspection frequency and maintenance standards for private drainage systems as protective as those in Chapter IV of the 2005 Ecology Stormwater Management Manual for Western Washington.
- Provide training to staff on the new codes, standards, processes and procedures and create public outreach and education materials.
- Develop and define a process to record and maintain all inspections and enforcement actions by staff for inclusion in the Annual Compliance Report.
- Summarize annual activities for the “Controlling Runoff” component of the Annual Compliance Report; identify any update to Program document.

6.2 Current Activities

The City currently has activities and programs that meet the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City has developed and implemented a program to reduce pollutants in stormwater runoff to the municipal separate storm sewer system from new development, redevelopment and construction site activities. The City enforces this program through the Civil Code.
- The City has existing programs, codes, standards, processes and procedures and a data management system that addresses the Permit requirements for management of stormwater runoff from development, redevelopment, and construction sites.
- The Clearing and Grading Code addresses construction site temporary erosion and sedimentation (and other construction-related pollution) control and the Utilities Code addresses permanent storm flow control and water quality treatment facility construction. The City requires and completes construction and stormwater site inspections during pre- and post-construction phases. The City has had a post-construction inspection program for private stormwater facilities since 1984, i.e., the Private Drainage Inspection Program.
- The City records and maintains inspections and enforcement actions by staff.
- The City will summarize associated activities in its first Annual Compliance Report on March 31st, 2008. Subsequent Annual Compliance Reports will also include Program updates.

6.3 Planned Activities

Bellevue has a program to help reduce stormwater runoff from new development and construction sites but updates will be necessary to maintain compliance as Ecology phases in Permit requirements. Actions that are recommended for continued compliance include:

- Selecting and adopting a new Stormwater Manual
- Updating codes and standards to reflect the new manual.
- Developing new standardized plan review, inspection, enforcement and compliance documentation and tracking processes and procedures.
- Conducting staff training and public education and outreach on implementing new manual.
- Revising and adopting post-construction private drainage system maintenance standards.
- Continuing to support Ecology by distributing copies of the Notice of Intent for Construction Activity and Industrial Activity.
- Revising information management systems to track and report construction, new development and redevelopment permits, inspection and enforcement actions and Private Drainage Inspection Program inspections and enforcement actions.
- Summarizing annual activities for the "Controlling Runoff from New Development, Redevelopment, and Construction Sites" component of the Annual Report (including the post-construction private drainage system inspection and maintenance requirements); including updates to the SWMP document.

Table 6-1 is the work plan for 2008 SWMP activities related to control of runoff from new development, redevelopment and construction sites. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 6-1 2008 Controlling Runoff From New Development, Redevelopment, and Construction Sites Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
CTRL-1	Charter City implementation team.	Utilities + PCD/DS +IT	Parks + Trans. + CAO	Begin in 2008.
CTRL-2	Select Manual option and identify steps necessary to adopt new stormwater manual and update codes and standards.	Utilities + PCD/DS	CAO	Begin in 2008.
CTRL-3	Develop new plan review, inspection, and enforcement processes and procedures.	Utilities + PCD/DS + IT	Parks + Trans. + CAO	Begin in 2008.
<i>CTRL-3.1</i>	Define workflow (roles, activities, systems, deliverables)	Utilities + PCD/DS + IT	Parks + Trans. + CAO	
<i>CTRL-3.2</i>	Research and evaluate, select and configure appropriate record-keeping system(s) for all departments (e.g., AMANDA).	Utilities + PCD/DS + IT	Parks + Trans. + CAO	
<i>CTRL-3.3</i>	Define staff training requirements.	Utilities + PCD/DS + IT	Parks + Trans. + CAO	
CTRL-4	Continue to support Ecology by distributing copies of the Notice of intents for Construction Activity and Industrial Activity.	PCD/DS	N/A	Continue through 2008.
CTRL-5	Submit maintenance documentation to Ecology to request a modified inspection frequency request on private drainage systems.	Utilities	N/A	Begin in 2008.
CTRL-6	Summarize annual activities for "Controlling Runoff from New Development, Redevelopment, and Construction Sites" component of Annual Report; identify any updates to Program document.	Utilities + PCD/DS + IT	Parks + Trans.	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

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7. POLLUTION PREVENTION AND OPERATION AND MAINTENANCE FOR MUNICIPAL OPERATIONS

This Section describes the Permit requirements related to Pollution Prevention and Operation and Maintenance for Municipal Operations, including current and planned compliance activities.

7.1 Permit Requirements

The Permit (Section S5.C.5) requires the City to:

- Develop and implement an operations and maintenance (O&M) program with the ultimate goal of preventing or reducing pollutant runoff from municipal separate stormwater system and municipal operations and maintenance activities.
- Establish maintenance standards for the municipal separate stormwater system that are at least as protective as those specified in the 2005 *Stormwater Management Manual for Western Washington*.
- Perform required inspection frequency of stormwater flow control and treatment facilities and catch basins, unless previous inspection data show that a reduced frequency is justified.
- Have processes and procedures in place to reduce stormwater impacts associated with runoff from municipal operation and maintenance activities including but not limited to streets, parking lots, roads or highways owned or maintained by the City, and to reduce pollutants in discharges from all lands owned or maintained by the City.
- Train staff to implement the modified processes and procedures and document that training.
- Prepare Stormwater Pollution Prevention Plans (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the City.
- Summarize annual activities for the “Pollution Prevention and Operations and Maintenance for Municipal Operations” component of the Annual Compliance Report; including any updates to the SWMP document.

7.2 Current Activities

The City currently has activities and programs that meet the Permit requirements. The current compliance activities associated with the above Permit requirements include:

- The City operates an operations and maintenance (O&M) program with the ultimate goal of minimizing pollutant runoff from municipal operations.
- City crews are already using the maintenance standards from the 2005 *Stormwater Management Manual for Western Washington* for O&M of the municipal storm system, although as yet the standards have not been formally adopted.
- The City currently is on track to comply with required municipal storm inspection frequencies.
- The City has standard operating procedures (SOP) in place to reduce stormwater impacts associated with runoff from municipal operation and maintenance activities including but not limited to streets, parking

lots, and roads owned or maintained by the City. These procedures address such potential sources as utility installation, street cleaning, ditch maintenance and other City activities.

- Some ongoing O&M training is provided.
- The City has created a list of City owned properties that will need Stormwater Pollution Prevention Plans (SWPPP).
- The City will summarize associated activities in its first Annual Compliance Report on March 31st, 2008. All subsequent Annual Compliance Reports will also include SWMP updates.

7.3 Planned Actions

Bellevue performs many activities to limit stormwater pollution potential related to its municipal operations and maintenance program. However, updates will be necessary to maintain compliance as Ecology phases in Permit requirements. Actions recommended for continued compliance include:

- Updating inspection, operation and maintenance processes and procedures for Bellevue-owned or operated stormwater catch-basins and flow control and treatment facilities.
- Administratively adopting Ecology maintenance standards for City-performed maintenance activities.
- Updating and/or developing procedures for operation and maintenance of municipally owned or maintained streets, parking lots, and roads.
- Developing and establishing policies and procedures to reduce pollutants in stormwater discharges from lands owned or maintained by the City.
- Creating and implementing Stormwater Pollution Prevention Plans (SWPPPs) for City Facilities.
- Summarizing annual activities for the "Pollution Prevention and Operation and Maintenance" component of the Annual Report; including updates to the SWMP document.

Table 7-1 is the work plan for 2008 SWMP activities related to pollution prevention and operations and maintenance activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 7-1 2008 Pollution Prevention and Operations and Maintenance Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
PPOM-1	Charter City implementation team	Utilities	All	Begin in 2008.
PPOM-2	Update municipal storm system inspection and operations and maintenance processes and procedures as needed.	Utilities	IT	On-going.
PPOM-2.1	Update municipal stormwater facilities O&M data management and reporting strategy (e.g., Maximo).	Utilities	IT	Begin in 2008.
PPOM-3	Develop curricula and define staff training requirements for pollution prevention training program.	Utilities	All	Begin in 2008.
PPOM-4	Summarize annual activities for "Pollution Prevention and Operation and Maintenance" component of Annual Report, identify any updates to Program document.	Utilities	All	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

CITY OF BELLEVUE 2008 STORMWATER MANAGEMENT PROGRAM

8. MONITORING

This Section describes the Permit requirements related to water quality monitoring, including current and planned compliance activities.

8.1 Permit Requirements

The Permit (Section S8) does not require municipalities to conduct water quality sampling or other testing during this Permit term, with the following exceptions:

- Water quality monitoring required for compliance with TMDLs [total maximum daily pollutant loads, a.k.a., water quality clean-up plans]; currently, not applicable to Bellevue because TMDLs have not been developed for Bellevue water quality limited waterbodies.
- Any sampling or testing required for characterizing illicit discharges pursuant to Program's Illicit Discharge Detection and Elimination conditions.
- Preparation for future, comprehensive, long-term water quality monitoring efforts consistent with current Phase I monitoring requirements. According to the Permit, this program would include two components: general stormwater quality monitoring and targeted Stormwater Management Program effectiveness monitoring. The stormwater monitoring is intended to characterize stormwater runoff quantity and quality at a limited number of locations. This characterization would allow for analysis of pollutants and changes in conditions over time and across the City. The Stormwater Management Program effectiveness monitoring is intended to improve stormwater management efforts by evaluating various stormwater controls. Results of the monitoring will be used to support the adaptive management process for improving programs over time
- Identification of three outfalls where permanent stormwater sampling stations can be installed and operated for future monitoring (by the end of the Permit term and with the 4th Annual Report). The three outfalls must represent commercial use, high-density residential and industrial land uses. The monitoring shall include plans for stormwater, sediment or receiving water monitoring of physical, chemical, and/or biological characteristics.
- Identification of two suitable Program questions and sites where targeted Program effectiveness monitoring can be conducted together with development of a monitoring plan for these questions and sites. The proposed effectiveness monitoring should be prepared to answer the following types of questions:
 - How effective is a specific targeted action or a narrow suite of actions?
 - Is the Stormwater Management Program achieving a targeted environmental outcome?

In addition, the City is required to provide the following monitoring and/or assessment data in Annual Reports:

- A description of stormwater monitoring or studies conducted by the City during the reporting period. If stormwater monitoring was conducted on behalf of the City, or if studies or investigations conducted by other entities were reported to the City, a brief description of the type of information gathered or received shall be included in the Annual Report.

- An assessment of the appropriateness of the best management practices identified by the City for components of the Stormwater Management Program; and changes made, or anticipated to be made, to the practices that were previously selected to implement the Program and why those changes are desirable.

8.2 Current Compliance Activities

The City has mapped municipal stormwater outfalls and is participating in a variety of regional work groups to develop collaboration strategies for implementing the Permit monitoring requirements.

8.3 Planned Activities

Bellevue will need to create a Water Quality Monitoring Program to maintain compliance as Ecology phases in current and future Permit requirements. The City will:

- Implement the monitoring compliance strategy; including development of monitoring plans necessary to implement the following Permit requirements and activities:
 - Illicit Discharge Detection and Elimination Program outfall screening.
 - Pollutant spill response (a.k.a., illicit discharge response) monitoring.
 - Identification of three outfalls for future, long term water quality monitoring.
 - Identification of two suitable Program questions and sites where targeted Program effectiveness monitoring can be conducted and develop a monitoring plan for these questions and sites.
- Participate in regional monitoring work groups.
- Summarize annual monitoring activities for the annual compliance report; including updates to the SWMP document.

Table 8-1 is the work plan for 2008 SWMP monitoring activities. These tasks were developed through an iterative process of interviews and workshops with staff from affected City departments. City department references used in the "lead" and "support" columns are defined in Appendix C.

Table 8-1 2008 Monitoring Work Plan				
Task ID	Task Description	Lead	Support	Schedule Notes
MNTR-1	Charter City implementation team.	Utilities	All	Begin in 2008.
MNTR- 2	Develop a monitoring strategy for the current and future Permit water quality monitoring conditions.	Utilities	All	Begin in 2008.
MNTR -2	Participate in regional and state monitoring forums and future legislative actions in order to influence development of feasible and effective alternative future monitoring requirements.	Utilities	N/A	Continue through 2008.
MNTR -3	Summarize annual monitoring activities for the Annual Report; identify any updates to the Program document.	Utilities	All	The SWMP and Annual Compliance Report submittal is due on or before March 31 st of each year.

APPENDIX A

Western Washington Phase II Municipal Stormwater Permit Special and General Conditions

Issuance Date: January 17, 2007
Effective Date: February 16, 2007
Expiration Date: February 15, 2012

WESTERN WASHINGTON PHASE II MUNICIPAL STORMWATER PERMIT

National Pollutant Discharge Elimination System and
State Waste Discharge General Permit for Discharges
from Small Municipal Separate Storm Sewers
in Western Washington

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
OLYMPIA, WASHINGTON 98504-7600

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified, or revoked, permittees that have properly obtained coverage under this permit are authorized to discharge to waters of the state in accordance with the special and general conditions which follow.



David C. Peeler, Manager
Water Quality Program
Department of Ecology

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SPECIAL CONDITIONS

Notice: If legislation related to this Permit is passed into law, Ecology will, as necessary, modify, revoke and re-issue or terminate this Permit to carry out legislative requirements. Any such modification will be in accordance with G14 *General Permit Modification and Revocation* and the provisions of WAC 173-226-230.

S1. PERMIT COVERAGE AREA AND PERMITTEES

A. Geographic Area of Permit Coverage

This Permit is applicable to owners or operators of regulated small municipal separate storm sewer systems (MS4s) located west of the eastern boundaries of the following counties: Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania.

1. For all cities required to obtain coverage under this permit, the geographic area of coverage is the entire incorporated area of the city.
2. For all counties required to have coverage under this Permit, the geographic area of coverage is the urbanized areas and urban growth areas associated with cities under the jurisdictional control of the county. The geographic area of coverage also includes any urban growth area contiguous to urbanized areas under the jurisdictional control of the county.
3. For secondary permittees required to obtain coverage under this permit, the minimum geographic area of coverage is all areas identified under S1.A.1. and S1.A.2. At the time of permit coverage, Ecology may establish a geographic area of coverage specific to an individual secondary permittee.
4. All regulated small MS4s owned or operated by the permittees named in S1.D.2.a. and located in another city or county area requiring coverage under either the Phase I *Municipal Stormwater Permit* or the *Eastern Washington Phase II Municipal Stormwater Permit* are also covered under this permit.

B. Regulated Small Municipal Separate Storm Sewer Systems (MS4s)

All operators of regulated small municipal separate storm sewer systems (MS4s) are required to apply for and obtain coverage under this Permit or be permitted under a separate individual permit, unless waived or exempted in accordance with condition S1.C.

1. A regulated small MS4:

- a. Is a “Small MS4” as defined in the *Definitions and Acronyms* section at the end of this Permit; and
- b. Is located within, or partially located within, an urbanized area as defined by the latest decennial census conducted by the U.S. Bureau of Census, or designated by the Department pursuant to 40 CFR 123.35(b) or 40 CFR 122.26(f); and
- c. Discharges stormwater from the MS4 to a surface water of Washington State; and

- d. Is not eligible for a waiver or exemption under S1.C. below.
 - 2. All other operators of MS4s, including special purpose districts, which meet the criteria for a regulated small MS4 shall obtain coverage under this Permit. Other operators of municipal separate storm sewers may include, but are not limited to: flood control, or diking and drainage districts, schools including universities, and correctional facilities that own or operate a small MS4 serving non-agricultural land uses.
 - 3. Any other operators of small MS4s may be required by the Department to obtain coverage under this permit or an alternative NPDES permit if the Department determines the small MS4 is a significant source of pollution to surface waters of the state. Notification of the Department's determination that permit coverage is required will be through the issuance of an Administrative Order issued in accordance with RCW 90.48.
 - 4. The owner or operator of a regulated small MS4 may obtain coverage under this Permit as a permittee, co-permittee, or secondary permittee as defined in S1.D.1. below.
 - 5. Pursuant to 40 CFR 122.26(f), any person or organization may petition Ecology to require that additional municipal separate storm sewers obtain coverage under this permit. The process for petitioning Ecology is:
 - a. The person or organization shall submit a complete petition in writing to Ecology. A complete petition shall address each of the relevant factors for petitions outlined on Ecology's website.
 - b. In making its determination on the petition, Ecology may request additional information from either the petitioner or the jurisdiction.
 - c. Ecology will make a final determination on a complete petition within 180 days of receipt of the petition and inform both the petitioner and the municipal separate storm sewer of the decision, in writing.
 - d. If Ecology's final determination is that the candidate municipal separate storm sewer will be regulated, Ecology will issue an order to the municipal separate storm sewer requiring them to obtain coverage under this Permit. The order will specify:
 - i. The geographic area of permit coverage for the municipal separate storm sewer system;
 - ii. Any modified dates or deadlines for developing and implementing the Stormwater Management Program in S5. or S6., as appropriate to the municipal separate storm sewer system, and for submitting their first annual report; and
 - iii. A deadline for the operator of the municipal separate storm sewer system to submit a complete Notice of Intent (see Appendix 5) to Ecology.
- C. Owners and operators of an otherwise regulated small MS4 are not required to obtain coverage under this Permit if:

1. The small MS4 is operated by:
 - a. The federal government on military bases or other federal lands; or by the United States Military, the Bureau of Land Management, the United States Park Service or other federal agencies;
 - b. Federally recognized Indian Tribes located within Indian Country Lands; or
 - c. The Washington State Department of Transportation.or:
2. The portions of the small MS4 located within the census defined urban area(s) serve a total population of less than 1000 people and a, b, and c, below all apply:
 - a. The small MS4 is not contributing substantially to the pollutant loadings of a physically interconnected MS4 that is regulated by the NPDES stormwater program.
 - b. The discharge of pollutants from the small MS4 have not been identified as a cause of impairment of any water body to which the MS4 discharges.
 - c. In areas where an EPA approved TMDL has been completed, stormwater controls on the MS4 have not been identified as being necessary.

In determining the total population served both resident and commuter populations shall be included. For example:

- For publicly operated school complexes including universities and colleges the total population served would include the sum of the average annual student enrollment plus staff.
- For flood control, diking, and drainage districts the total population served would include residential population and any non-residents regularly employed in the areas served by the small MS4.

D. Obtaining coverage under this Permit

All operators of **regulated small MS4s** are required to apply for and obtain coverage in accordance with this section, unless waived or exempted in accordance with section S1.C.

1. Permittees: unless otherwise noted, the term “Permittee” shall include Permittee, Co-Permittee, and Secondary Permittee, as defined below:
 - a. “Permittee” is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.
 - b. “Co-Permittee” is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.

- c. A “Secondary Permittee” is an operator of regulated small MS4 that is not a city, town or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B. above.
- 2. Operators of **regulated small MS4s** shall submit either an individual application to the Department or a Notice of Intent (NOI). Applications submitted after January 17, 2007 must be made using the NOI provided in Appendix 5. The NOI is also available on Ecology’s website.
 - a. All cities, towns and counties listed in i and ii below and operating regulated small MS4s shall apply as either a Permittee or Co-Permittee.
 - i. Cities of: Aberdeen, Algona, Anacortes, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale, Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Port Angeles, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point.
 - ii. Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.
 - b. All other **regulated small MS4s** shall apply as a Secondary Permittee or as a Co-Permittee.
 - c. The following cities, towns and counties submitted either an application or a NOI for coverage to Ecology prior to January 17, 2007:
 - i. Cities and towns: Aberdeen, Algona, Arlington, Auburn, Bainbridge Island, Battle Ground, Bellevue, Bellingham, Black Diamond, Bonney Lake, Bothell, Bremerton, Brier, Buckley, Burien, Burlington, Camas, Centralia, Clyde Hill, Covington, Des Moines, DuPont, Duvall, Edgewood, Edmonds, Enumclaw, Everett, Federal Way, Ferndale Fife, Fircrest, Gig Harbor, Granite Falls, Issaquah, Kelso, Kenmore, Kent, Kirkland, Lacey, Lake Forest Park, Lake Stevens, Lakewood, Longview, Lynnwood, Maple Valley, Marysville, Medina, Mercer Island, Mill Creek, Milton, Monroe, Mountlake Terrace, Mount Vernon, Mukilteo, Newcastle, Normandy Park, Oak Harbor, Olympia, Orting, Pacific, Port Orchard, Poulsbo, Puyallup, Redmond, Renton, Sammamish, SeaTac, Sedro-Woolley, Shoreline, Snohomish, Steilacoom, Sumner, Tukwila, Tumwater, University Place, Vancouver, Washougal, Woodinville, and Yarrow Point

- ii. Counties: Cowlitz, Kitsap, Thurston, Skagit, and Whatcom.
 - d. All operators of regulated small MS4s located in jurisdictions listed in S1.D.2.a. shall submit to Ecology a NOI or individual permit application before the effective date of this permit, with the following exceptions:
 - i. Operators of regulated small MS4s located in the Cities of Aberdeen, Anacortes, Centralia, Oak Harbor, and Port Angeles shall submit a NOI or application to Ecology no later than 30 days after the effective date of this permit.
 - ii. Operators of regulated small MS4s listed in S1.D.2.c. do not need to submit a new application to be covered under this permit.
 - e. For operators of regulated small MS4s listed in S1.D.2.c., coverage under this permit is automatic and begins on the effective date of this permit, unless:
 - i. The operator chooses to reapply before the effective date of this permit; or
 - ii. The operator will be relying on another entity to satisfy one or more of their permit obligations in accordance with S1.D.2.g. and S1.D.3.d. below; or
 - iii. The operator chooses to be a Co-Permittee in accordance with S1.D.2.f. and S1.D.3.c. below; or
 - iv. The operator chooses to opt out of this General Permit. Any operator of a regulated small MS4 that is opting out of this permit shall submit an application for an individual MS4 permit in accordance with 40 CFR 122.33(b)(2)(ii) no later than the effective date of this permit.
 - f. Operators of regulated small MS4s which want to be covered under this permit as Co-Permittees shall submit to Ecology a joint NOI.
 - g. Operators of regulated small MS4s which are relying on another entity to satisfy one or more of their permit obligations shall submit a NOI to Ecology.
 - h. Operators of small MS4s designated by Ecology pursuant to S1.B.3. of this permit shall submit a NOI to Ecology within 120 days of receiving notification from Ecology that permit coverage is required.
3. Application Requirements
- a. NOIs shall be submitted to:
 - Department of Ecology
 - Water Quality Program
 - Municipal Stormwater Permits
 - P.O. Box 47696
 - Olympia, WA 98504-7696
 - b. For NOIs submitted after January 17, 2007, the permit applicant shall provide public notice of the application in accordance with WAC 173-226-130(5). The applicant or co-applicant shall include a certification that the public notification

requirements of WAC 173-226-130(5) have been satisfied. Unless Ecology responds in writing, coverage under this Permit will be effective 60 days after receipt of a complete NOI. A complete NOI shall include the certification of public notice.

- c. Permittees applying as co-applicants shall submit a joint NOI. The joint NOI shall clearly identify the areas of the MS4 for which each of the co-applicants are responsible.
- d. Permittees relying on another entity or entities to satisfy one or more of their permit obligations shall notify Ecology in writing. The notification shall include a summary of the permit obligations that will be carried out by another entity. The summary shall identify the other entity or entities and shall be signed by the other entity or entities. During the term of the permit, permittees may terminate or amend shared responsibility arrangements by notifying Ecology, provided this does not alter implementation deadlines.
- e. Secondary permittees required to have coverage under this Permit, and the NPDES and State Waste Discharge Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington or the NPDES and State Waste Discharge Permit for Discharges from Large and Medium Municipal *Separate Storm Sewers*, may obtain coverage by submitting a single NOI.

S2. AUTHORIZED DISCHARGES

- A. This Permit authorizes the discharge of stormwater to surface waters and to ground waters of the state from municipal separate storm sewer systems owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A. These discharges are subject to the following limitations:
 - 1. Discharges to ground waters of the state through facilities regulated under the Underground Injection Control (UIC) program, Chapter 173-218 WAC, are not covered under this Permit.
 - 2. Discharges to ground waters not subject to regulation under the federal Clean Water Act are covered in this permit only under state authorities, Chapter 90.48 RCW, the Water Pollution Control Act.
- B. This Permit authorizes discharges of non-stormwater flows to surface waters and to ground waters of the state from municipal separate storm sewer systems owned or operated by each Permittee covered under this permit, in the geographic area covered pursuant to S1.A, only under the following conditions:
 - 1. The discharge is authorized by a separate National Pollutant Discharge Elimination System (NPDES) or State Waste Discharge permit.
 - 2. The discharge is from emergency fire fighting activities.
 - 3. The discharge is from another illicit or non-stormwater discharge that is managed by the Permittee as provided in Special Condition S5.C.3.b. or S6.C.3.b.

These discharges are also subject to the limitations in S2.A.1. and S.2.A.2. above.

- C. This Permit does not relieve entities that cause illicit discharges, including spills, of oil or hazardous substances, from responsibilities and liabilities under state and federal laws and regulations pertaining to those discharges.
- D. Discharges from municipal separate storm sewers constructed after the effective date of this permit shall receive all applicable state and local permits and use authorizations, including compliance with Chapter 43.21C RCW (the State Environmental Policy Act).
- E. This Permit does not authorize discharges of stormwater to waters within Indian Reservations except where authority has been specifically delegated to Ecology by the U.S. Environmental Protection Agency. The exclusion of such discharges from this Permit does not waive any rights the State may have with respect to the regulation of the discharges.

S3. RESPONSIBILITIES OF PERMITTEES

- A. Each Permittee covered under this Permit is responsible for compliance with the terms of this Permit for the regulated small MS4s that they own or operate. Compliance with (1) or (2) below is required as applicable to each permittee, whether the permittee has applied for coverage as a permittee, co-permittee, or secondary permittee.
 - 1. All city, town and county permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Condition S6 *Stormwater Management Program for Secondary Permittees*.
 - 2. All secondary permittees are required to comply with all conditions of this Permit, including any appendices referenced therein, except for Special Conditions S8.C. *Monitoring* and S5 *Stormwater Management Program for Cities, Towns and Counties*.
- B. Permittees may rely on another entity to satisfy one or more of the requirements of this Permit. Permittees that are relying on another entity to satisfy one or more of their permit obligations remain responsible for permit compliance if the other entity fails to implement permit conditions. Permittees may rely on another entity provided all the requirements of 40 CFR 122.35(a) are satisfied, including but not limited to:
 - 1. The other entity, in fact, implements the Permit requirements.
 - 2. The other entity agrees to take on responsibility for implementation of the Permit requirement(s) as indicated on the NOI.

S4. COMPLIANCE WITH STANDARDS

- A. In accordance with RCW 90.48.520, the discharge of toxicants to waters of the state of Washington which would violate any water quality standard, including toxicant standards, sediment criteria, and dilution zone criteria is prohibited. The required response to such violations is defined in section S4.F., below.
- B. This Permit does not authorize a violation of Washington State Surface Water Quality Standards (Chapter 173-201A WAC), Ground Water Quality Standards (Chapter 173-200 WAC), Sediment Management Standards (chapter 173-204 WAC), or human health-based criteria in the national Toxics Rule (Federal Register, Vol. 57, NO. 246, Dec. 22,

1992, pages 60848-60923). The required response to such violations is defined in section S4.F., below.

- C. The Permittee shall reduce the discharge of pollutants to the maximum extent practicable (MEP).
- D. The Permittee shall use all known, available, and reasonable methods of prevention, control and treatment (AKART) to prevent and control pollution of waters of the state of Washington.
- E. In order to meet the goals of the Clean Water Act, and comply with S4.A., S4.B., S4.C., and S4.D. each Permittee shall comply with all of the applicable requirements of this Permit as identified in S3 Responsibilities of Permittees.
- F. Required response to violations of Water Quality Standards pursuant to sections S4.A. and/or S4.B:
 - 1. Pursuant to G20 *Non-Compliance Notification*, the Permittee shall notify Ecology in writing within 30 days of becoming aware that a discharge from the municipal separate storm sewer is causing or contributing to a violation of Water Quality Standards. For ongoing or continuing violations, a single written notification to Ecology will fulfill this requirement.
 - 2. In the event that Ecology determines that a discharge from a municipal separate storm sewer is causing or contributing to a violation of Water Quality Standards in a receiving water, and the violation is not already addressed by a Total Maximum Daily Load or other water quality cleanup plan, Ecology will notify the Permittee in writing that:
 - a. Within 60 days of receiving the notification, or by an alternative date established by Ecology, the Permittee shall review their Stormwater Management Program and submit a report to Ecology. The report shall include:
 - i. A description of the operational and/or structural BMPs that are currently being implemented to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards, including a qualitative assessment of the effectiveness of each BMP.
 - ii. A description of additional operational and/or structural BMPs that will be implemented to prevent or reduce any pollutants that are causing or contributing to the violation of Water Quality Standards.
 - iii. A schedule for implementing the additional BMPs including, as appropriate: funding, training, purchasing, construction, monitoring, and other assessment and evaluation components of implementation.
 - b. Ecology will, in writing, either approve the additional BMPs and implementation schedule or require the Permittee to modify the report. If modifications are required, the Permittee shall submit a revised report to Ecology.
 - c. The Permittee shall implement the additional BMPs, pursuant to the schedule approved by Ecology, beginning immediately upon receipt of written notification of approval.

- d. The Permittee shall include with each subsequent annual report a summary of the status of implementation and any information from assessment and evaluation procedures collected during the reporting period.
 - e. Provided the Permittee is implementing the approved BMPs, pursuant to the approved schedule, the Permittee is not required to further modify the BMPs or implementation schedule unless directed to do so by Ecology.
- G. Ecology may modify or revoke and reissue this General Permit in accordance with G14 *General Permit Modification and Revocation*, if Ecology becomes aware of additional control measures, management practices or other actions beyond what is required in this Permit that are necessary to:
- 1. Reduce the discharge of pollutants to the MEP,
 - 2. Comply with the state AKART requirements, or
 - 3. Control the discharge of toxicants to waters of the State of Washington.

S5. STORMWATER MANAGEMENT PROGRAM FOR CITIES, TOWNS AND COUNTIES

- A. Each Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S5.B. and S5.C.1. through S5.C.5., and any additional actions necessary to meet the requirements of applicable TMDLs (see S7). The SWMP shall be designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality. This section applies to all cities, towns and counties covered under this Permit, including cities, towns and counties that are co-permittees. Where the term "Permittee" is used in this section the requirements apply to all cities, towns and counties covered under this Permit.
- 1. The SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than 180 days prior to the expiration date of this Permit. At a minimum the Permittee's SWMP shall be implemented throughout the geographic area subject to this Permit as described in S1.A.
 - 2. Each Permittee shall prepare written documentation of the SWMP. The SWMP documentation shall be organized according to the program components in S5.C. and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see S9 *Reporting and Record Keeping*). The SWMP documentation shall include:
 - a. A description of each of the program components included in S5.C., and
 - b. Any additional actions implemented by the Permittee pursuant to S5.C., and
 - c. Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to S7 *Compliance with Total Maximum Daily Load Requirements*.

3. The SWMP shall include an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities.
 - a. Beginning no later than January 1, 2009, each Permittee shall track the cost or estimated cost of development and implementation of each component of the SWMP. This information shall be provided to Ecology upon request.
 - b. Each Permittee shall track the number of inspections, official enforcement actions and types of public education activities as stipulated by the respective program component. This information shall be included in the annual report.

4. The SWMP described herein supersedes SWMP descriptions provided by permit applicants in individual applications submitted to the Department prior to the effective date of this permit.

Notwithstanding the schedules for implementation of SWMP components contained in this permit, Permittees that are already implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP. Permittees shall not repeal existing local requirements to control stormwater that go beyond the requirements of this permit for new development and redevelopment sites.

5. Coordination among permittees

- a. Coordination among entities covered under municipal stormwater NPDES permits may be necessary to comply with certain conditions of the SWMP. The SWMP should include, when needed, coordination mechanisms among entities covered under a municipal stormwater NPDES permit to encourage coordinated stormwater-related policies, programs and projects within adjoining or shared areas.
 - i. Coordination mechanisms shall clarify roles and responsibilities for the control of pollutants between physically interconnected MS4s permittees covered by a municipal stormwater permit.
 - ii. Coordination mechanisms shall coordinate stormwater management activities for shared water bodies among permittees to avoid conflicting plans, policies and regulations.
 - b. The SWMP should include coordination mechanisms among departments within each jurisdiction to eliminate barriers to compliance with the terms of this permit.
- B. The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the maximum extent practicable (MEP), meet state AKART requirements, and protect water quality. Notwithstanding the schedules for implementation of SWMP components contained in this Permit, permittees who are implementing some or all of the SWMP components in this section shall continue implementation of those components of their SWMP.

- C. The SWMP shall include the components listed below. To the extent allowable under state or federal law, all components are mandatory for city, town or county permittees covered under this Permit. In accordance with 40 CFR 122.35(a) and Special Condition S3, a city, town or county may rely on another entity to implement one or more of the components in this section.

1. Public Education and Outreach

The SWMP shall include an education program aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee. The goal of the education program is to reduce or eliminate behaviors and practices that cause or contribute to adverse stormwater impacts. An education program may be developed locally or regionally.

The minimum measures are:

- a. No later than two years after the effective date of this Permit, the Permittee shall provide an education and outreach program for the area served by the MS4. The outreach program shall be designed to achieve measurable improvements in the target audience's understanding of the problem and what they can do to solve it.

Education and outreach efforts shall be prioritized to target the following audiences and subject areas:

i. General public

- General impacts of stormwater flows into surface waters.
- Impacts from impervious surfaces.
- Source control BMPs and environmental stewardship actions and opportunities in the areas of pet waste, vehicle maintenance, landscaping and buffers.

ii. General public, businesses, including home-based and mobile businesses

- BMPs for use and storage of automotive chemicals, hazardous cleaning supplies, carwash soaps and other hazardous materials.
- Impacts of illicit discharges and how to report them.

iii. Homeowners, landscapers and property managers

- Yard care techniques protective of water quality.
- BMPs for use and storage of pesticides and fertilizers.
- BMPs for carpet cleaning and auto repair and maintenance.
- Low Impact Development techniques, including site design, pervious paving, retention of forests and mature trees.
- Stormwater pond maintenance.

iv. Engineers, contractors, developers, review staff and land use planners

- Technical standards for stormwater site and erosion control plans.
- Low Impact Development techniques, including site design, pervious paving, retention of forests and mature trees.

- Stormwater treatment and flow control BMPs.
- b. Each Permittee shall measure the understanding and adoption of the targeted behaviors among the targeted audiences. The resulting measurements shall be used to direct education and outreach resources most effectively, as well as to evaluate changes in adoption of the targeted behaviors.
- c. Each Permittee shall track and maintain records of public education and outreach activities.

2. Public Involvement and Participation

The SWMP shall include ongoing opportunities for public involvement through advisory councils, watershed committees, participation in developing rate-structures, stewardship programs, environmental activities or other similar activities. Each Permittee shall comply with applicable State and local public notice requirements when developing their SWMP.

The minimum performance measures are:

- a. No later than one year from the effective date of this Permit, all permittees shall create opportunities for the public to participate in the decision-making processes involving the development, implementation and update of the Permittee's entire SWMP. Each Permittee shall develop and implement a process for consideration of public comments on their SWMP.
- b. Each Permittee shall make their SWMP, the annual report required under S9.A and all other submittals required by this Permit, available to the public. The annual report, and SWMP that was submitted with the latest annual report, shall be posted on the permittee's website. To comply with the posting requirement, a permittee that does not maintain a website may submit the updated SWMP in electronic format to the Department for posting on the Department's website.

3. Illicit Discharge Detection and Elimination

The SWMP shall include an ongoing program to detect and remove illicit connections, discharges as defined in 40 CFR 122.26(b)(2), and improper disposal, including any spills not under the purview of another responding authority, into the municipal separate storm sewers owned or operated by the Permittee. Permittees shall fully implement an ongoing illicit discharge detection and elimination program no later than 180 days prior to the expiration date of this Permit.

The minimum performance measures are:

- a. A municipal storm sewer system map shall be developed no later than four years from the effective date of this permit. Municipal storm sewer system maps shall be periodically updated and shall include the following information:
 - i. The location of all known municipal separate storm sewer outfalls and receiving waters and structural stormwater BMPs owned, operated, or maintained by the Permittee. Each Permittee shall map the attributes listed

below for all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems:

- Tributary conveyances (indicate type, material, and size where known).
 - Associated drainage areas.
 - Land use.
- ii. Each Permittee shall initiate a program to develop and maintain a map of all connections to the municipal separate storm sewer authorized or allowed by the Permittee after the effective date of this Permit.
 - iii. Geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters.
 - iv. Each Permittee shall make available to Ecology, upon request, municipal storm sewer system map(s) depicting the information required in S5.C.3.a.i. through iv above. The preferred format of submission will be an electronic format with fully described mapping standards. An example description is provided on Ecology WebPages under Core Services, GIS Data.
 - vi. Upon request, and to the extent appropriate, permittees shall provide mapping information to co-permittees and secondary permittees.
- b. Each Permittee shall develop and implement an ordinance or other regulatory mechanism to effectively prohibit non-stormwater, illegal discharges, and/or dumping into the Permittee's municipal separate storm sewer system to the maximum extent allowable under State and Federal law. The ordinance or other regulatory mechanism shall be adopted no later than 30 months from the effective date of this Permit.
 - i. The regulatory mechanism does not need to prohibit the following categories of non-stormwater discharges:
 - Diverted stream flows.
 - Rising ground waters.
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)).
 - Uncontaminated pumped ground water.
 - Foundation drains.
 - Air conditioning condensation.
 - Irrigation water from agricultural sources that is commingled with urban stormwater.
 - Springs.
 - Water from crawl space pumps.
 - Footing drains.
 - Flows from riparian habitats and wetlands.
 - Non-stormwater discharges covered by another NPDES permit.
 - Discharges from emergency fire fighting activities in accordance with *S2 Authorized Discharges*.

- ii. The regulatory mechanism shall prohibit the following categories of non-stormwater discharges unless the stated conditions are met:
 - Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4.
 - Discharges from lawn watering and other irrigation runoff. These shall be minimized through, at a minimum, public education activities (see section S5.C.1) and water conservation efforts.
 - Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent re-suspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
 - Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The Permittee shall reduce these discharges through, at a minimum, public education activities (see section S5.C.1.) and/or water conservation efforts. To avoid washing pollutants into the MS4, Permittees must minimize the amount of street wash and dust control water used. At active construction sites, street sweeping must be performed prior to washing the street.
 - Other non-stormwater discharges. The discharges shall be in compliance with the requirements of the stormwater pollution prevention plan reviewed by the Permittee, which addresses control of construction site de-watering discharges.
- iii. The Permittee's SWMP shall, at a minimum, address each category in ii above in accordance with the conditions stated therein.
- iv. The SWMP shall further address any category of discharges in i or ii above if the discharges are identified as significant sources of pollutants to waters of the State.
- v. The ordinance or other regulatory mechanism shall include escalating enforcement procedures and actions.
- vi. The Permittee shall develop an enforcement strategy and implement the enforcement provisions of the ordinance or other regulatory mechanism.
- c. Each Permittee shall develop and implement an ongoing program to detect and address non-stormwater discharges, spills, illicit connections and illegal dumping into the Permittee's municipal separate storm sewer system. The

program shall be fully implemented no later than 180 days prior to the expiration date of this Permit and shall include:

- i. Procedures for locating priority areas likely to have illicit discharges, including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in spills.
- ii. Field assessment activities, including visual inspection of priority outfalls identified in i, above, during dry weather and for the purposes of verifying outfall locations, identifying previously unknown outfalls, and detecting illicit discharges.
 - Receiving waters shall be prioritized for visual inspection no later than three years from the effective date of this Permit, with field assessments of three high priority water bodies made no later than four years from the effective date of this Permit. Field assessments on at least one high priority water body shall be made each year thereafter.
 - Screening for illicit connections shall be conducted using: Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments, Center for Watershed Protection, October 2004, or another methodology of comparable effectiveness.
- iii. Procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee. Procedures shall include detailed instructions for evaluating whether the discharge must be immediately contained and steps to be taken for containment of the discharge.

Compliance with this provision shall be achieved by investigating (or referring to the appropriate agency) within 7 days, on average, any complaints, reports or monitoring information that indicates a potential illicit discharge, spill, or illegal dumping; and immediately investigating (or referring) problems and violations determined to be emergencies or otherwise judged to be urgent or severe.

- iv. Procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures.
- v. Procedures for removing the source of the discharge; including notification of appropriate authorities; notification of the property owner; technical assistance for eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated.

Compliance with this provision shall be achieved by initiating an investigation within 21 days of a report or discovery of a suspected illicit

connection to determine the source of the connection, the nature and volume of discharge through the connection, and the party responsible for the connection. Upon confirmation of the illicit nature of a storm drain connection, termination of the connection shall be verified within 180 days, using enforcement authority as needed.

- d. Permittees shall inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste.
 - i. No later than 180 days prior to the expiration date of this Permit, distribute appropriate information to target audiences identified pursuant to S5.C.1.
 - ii. No later than two years from the effective date of this Permit, publicly list and publicize a hotline or other local telephone number for public reporting of spills and other illicit discharges. Keep a record of calls received and follow-up actions taken in accordance with S5.C.3.c.ii. through v. above; include a summary in the annual report (see section S9 Reporting and Record Keeping Requirements).
- e. Permittees shall adopt and implement procedures for program evaluation and assessment, including tracking the number and type of spills or illicit discharges identified; inspections made; and any feedback received from public education efforts. A summary of this information shall be included in the Permittee's annual report (see section S9 Reporting and Recordkeeping Requirements).
- f. Each Permittee will provide appropriate training for municipal field staff on the identification and reporting of illicit discharges into MS4s.
 - i. No later than thirty months after the effective date of this Permit, each Permittee shall ensure that all municipal field staff who are responsible for identification, investigation, termination, cleanup, and reporting illicit discharges, including spills, improper disposal and illicit connections are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.
 - ii. No later than three years after the effective date of this Permit, an ongoing training program shall be developed and implemented for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system shall be trained on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/connection. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of the training provided and the staff trained.

4. Controlling Runoff from New Development, Redevelopment and Construction Sites

Each Permittee shall develop, implement, and enforce a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities. This program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The program shall apply to private and public development, including roads. The “Technical Thresholds” in Appendix 1 shall be applied to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale.

The minimum performance measures are:

- a. The program shall include an ordinance or other enforceable mechanism that addresses runoff from new development, redevelopment, and construction site projects. Pursuant to S5.A.2., in adopting this ordinance or other regulatory mechanism, existing local requirements to apply stormwater controls at smaller sites, or at lower thresholds than required pursuant to S5.C.4., shall be retained. The ordinance or other enforceable mechanism shall be in place no later than thirty months from the effective date of this Permit. The ordinance or other enforceable mechanism shall include, at a minimum:
 - i. The Minimum Requirements, technical thresholds, and definitions in Appendix 1 or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit, for new development, redevelopment, and construction sites. Adjustment and variance criteria equivalent to those in Appendix 1 shall be included. More stringent requirements may be used, and/or certain requirements may be tailored to local circumstances through the use of basin plans or other similar water quality and quantity planning efforts. Such local requirements shall provide equal protection of receiving waters and equal levels of pollutant control to those provided in Appendix 1.
 - ii. A site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 (or equivalent approved by Ecology under the Phase I Permit) will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge. Permittees shall document how the criteria and requirements will protect water quality, reduce the discharge of pollutants to the maximum extent practicable, and satisfy State AKART requirements.

Permittees who choose to use the site planning process and BMP selection and design criteria in the 2005 *Stormwater Management Manual for Western Washington*, or an equivalent manual approved by the Department

- under the Phase I Permit, may cite this choice as their sole documentation to meet this requirement.
- iii. The legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee's MS4.
 - iv. Provisions to allow non-structural preventive actions and source reduction approaches such as Low Impact Development Techniques (LID), measures to minimize the creation of impervious surfaces and measures to minimize the disturbance of native soils and vegetation. Provisions for LID should take into account site conditions, access and long term maintenance.
 - v. If the Permittee chooses to allow construction sites to apply the "Erosivity Waiver" in Appendix 1, Minimum Requirement #2, the ordinance or regulatory mechanism shall include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver.
- b. The program shall include a permitting process with plan review, inspection and enforcement capability to meet the standards listed in (i) through (iv) below, for both private and public projects, using qualified personnel (as defined in *Definitions and Acronyms*). At a minimum, this program shall be applied to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale. The process shall be in place no later than thirty months from the effective date of this Permit.
- i. Except as provided in S5.C.4.b.vii. below, review of all stormwater site plans for proposed development activities.
 - ii. Except as provided in S5.C.4.b.vii. below, inspect, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Identifying Construction Site Sediment Transport Potential.
 - iii. Except as provided in S5.C.4.b.vii. below, inspect all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls. Enforce as necessary based on the inspection.
 - iv. Inspect all permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs. Also, verify a maintenance plan is completed and responsibility for maintenance is assigned. Enforce as necessary based on the inspection.

- v. Compliance with the inspection requirements in (ii), (iii) and (iv) above shall be determined by the presence and records of an established inspection program designed to inspect all sites and achieving at least 95% of scheduled inspections.
 - vi. An enforcement strategy shall be developed and implemented to respond to issues of non-compliance.
 - vii. If the Permittee chooses to allow construction sites to apply the “Erosivity Waiver” in Appendix 1, Minimum Requirement #2, the Permittee is not required to review the construction stormwater pollution prevention plans as part of the site plan review in (i) above, and is not required to perform the construction phase inspections identified in (ii) and (iii) above related to construction sites which are eligible for the erosivity waiver.
- c. The program shall include provisions to verify adequate long-term operation and maintenance (O&M) of post-construction stormwater facilities and BMPs that are permitted and constructed pursuant to (b) above. These provisions shall be in place no later than thirty months from the effective date of this Permit and shall include:
- i. Adoption of an ordinance or other enforceable mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities in accordance with the requirements in (ii) through (iv) below, and establishes enforcement procedures.
 - ii. Each Permittee shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 of Volume V of the 2005 Stormwater Management Manual for Western Washington. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard.
 - (1) The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facilities required condition at all times between inspections. Exceeding the maintenance standard between the period of inspections is not a permit violation.
 - (2) Unless there are circumstances beyond the Permittees control, when an inspection identifies an exceedence of the maintenance standard, maintenance shall be performed:
 - Within 1 year for wet pool facilities and retention/detention ponds.
 - Within 6 months for typical maintenance.
 - Within 9 months for maintenance requiring re-vegetation, and
 - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the permittees control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to

perform emergency work. For each exceedence of the required timeframe, the Permittee must document the circumstances and how they were beyond their control.

- iii. Annual inspections of all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency.

Reducing the inspection frequency shall be based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with G19 *Certification and Signature*.

- iv. Inspections of all new flow control and water quality treatment facilities, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed.
- d. The program shall include a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, and other enforcement records. Records of maintenance inspections and maintenance activities shall be maintained. Permittees shall keep records of all projects disturbing more than one acre, and all projects of any size that are part of a common plan of development or sale that is greater than one acre that are approved after the effective date of this Permit.
- e. The program shall make available copies of the "Notice of Intent for Construction Activity" and copies of the "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment. Permittees will continue to enforce local ordinances controlling runoff from sites that are also covered by stormwater permits issued by Ecology.
- f. No later than thirty months from the effective date of this Permit, each Permittee shall verify that all staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement, are trained to conduct these activities. Follow-up training shall be provided as needed to address changes in procedures, techniques or staffing. Permittees shall document and maintain records of the training provided and the staff trained.

5. Pollution Prevention and Operation and Maintenance for Municipal Operations

Within three years of the effective date of this Permit, each Permittee shall develop and implement an operations and maintenance (O&M) program that includes a

training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

The minimum performance measures are:

- a. Each Permittee shall establish maintenance standards that are as protective, or more protective, of facility function than those specified in Chapter 4 of Volume V of the 2005 Stormwater Management Manual for Western Washington. For facilities which do not have maintenance standards, the Permittee shall develop a maintenance standard.
 - i. The purpose of the maintenance standard is to determine if maintenance is required. The maintenance standard is not a measure of the facilities required condition at all times between inspections. Exceeding the maintenance standard between inspections and/or maintenance is not a permit violation.
 - ii. Unless there are circumstances beyond the Permittees control, when an inspection identifies an exceedence of the maintenance standard, maintenance shall be performed:
 - Within 1 year for wet pool facilities and retention/detention ponds.
 - Within 6 months for typical maintenance.
 - Within 9 months for maintenance requiring re-vegetation.
 - Within 2 years for maintenance that requires capital construction of less than \$25,000.

Circumstances beyond the permittees control include denial or delay of access by property owners, denial or delay of necessary permit approvals, and unexpected reallocations of maintenance staff to perform emergency work. For each exceedence of the required timeframe, the Permittee shall document the circumstances and how they were beyond their control.

- b. Annual inspection of all municipally owned or operated permanent stormwater treatment and flow control facilities, other than catch basins, and taking appropriate maintenance actions in accordance with the adopted maintenance standards. The annual inspection requirement may be reduced based on inspection records.

Reducing the inspection frequency shall be based on maintenance records of double the length of time of the proposed inspection frequency. In the absence of maintenance records, the Permittee may substitute written statements to document a specific less frequent inspection schedule. Written statements shall be based on actual inspection and maintenance experience and shall be certified in accordance with *G19 Certification and Signature*.

- c. Spot checks of potentially damaged permanent treatment and flow control facilities (other than catch basins) after major (greater than 24-hour-10-year recurrence interval rainfall) storm events. If spot checks indicate widespread damage/maintenance needs, inspect all stormwater treatment and flow control facilities that may be affected. Conduct repairs or take appropriate maintenance

action in accordance with maintenance standards established above, based on the results of the inspections.

- d. Inspection of all catch basins and inlets owned or operated by the Permittee at least once before the end of the Permit term. Clean catch basins if the inspection indicates cleaning is needed to comply with maintenance standards established in the 2005 *Stormwater Management Manual for Western Washington*. Decant water shall be disposed of in accordance with Appendix 6 *Street Waste Disposal*.

Inspections may be conducted on a “circuit basis” whereby a sampling of catch basins and inlets within each circuit is inspected to identify maintenance needs. Include in the sampling an inspection of the catch basin immediately upstream of any system outfall. Clean all catch basins within a given circuit at one time if the inspection sampling indicates cleaning is needed to comply with maintenance standards established under S5.C.4.c., above.

As an alternative to inspecting catch basins on a “circuit basis,” the Permittee may inspect all catch basins, and clean only catch basins where cleaning is needed to comply with maintenance standards.

- e. Compliance with the inspection requirements in a, b, c and d above shall be determined by the presence of an established inspection program designed to inspect all sites and achieving inspection of 95% of all sites.
- f. Establishment and implementation of practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities conducted by the Permittee. The following activities shall be addressed:
 - Pipe cleaning
 - Cleaning of culverts that convey stormwater in ditch systems
 - Ditch maintenance
 - Street cleaning
 - Road repair and resurfacing, including pavement grinding
 - Snow and ice control
 - Utility installation
 - Pavement striping maintenance
 - Maintaining roadside areas, including vegetation management
 - Dust control
- g. Establishment and implementation of policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities. These policies and procedures shall address, but are not limited to:
 - Application of fertilizer, pesticides, and herbicides including the development of nutrient management and integrated pest management plans.
 - Sediment and erosion control.

- Landscape maintenance and vegetation disposal.
 - Trash management.
 - Building exterior cleaning and maintenance.
- h. Develop and implement an on-going training program for employees of the Permittee whose construction, operations or maintenance job functions may impact stormwater quality. The training program shall address the importance of protecting water quality, the requirements of this Permit, operation and maintenance standards, inspection procedures, selecting appropriate BMPs, ways to perform their job activities to prevent or minimize impacts to water quality, and procedures for reporting water quality concerns, including potential illicit discharges. Follow-up training shall be provided as needed to address changes in procedures, techniques or requirements. Permittees shall document and maintain records of training provided.
- i. Development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Industrial Stormwater General Permit. Implementation of non-structural BMPs shall begin immediately after the pollution prevention plan is developed. A schedule for implementation of structural BMPs shall be included in the SWPPP. Generic SWPPPs that can be applied at multiple sites may be used to comply with this requirement. The SWPPP shall include periodic visual observation of discharges from the facility to evaluate the effectiveness of the BMP.
- j. Records of inspections and maintenance or repair activities conducted by the Permittee shall be maintained in accordance with *S9 Reporting Requirements*.

S6. STORMWATER MANAGEMENT PROGRAM FOR SECONDARY PERMITTEES

- A. This section applies to all secondary permittees, whether coverage under this Permit is obtained individually or as a co-permittee with a city, town or county or another secondary permittee.
1. To the extent allowable under state, federal or local law, all components are mandatory for each Secondary Permittee covered under this Permit, whether covered as an individual permittee or as a co-permittee.
 2. Each Secondary Permittee shall develop and implement a stormwater management program (SWMP). The SWMP shall be designed to reduce the discharge of pollutants from regulated small MS4s to the maximum extent practicable and protect water quality.
 3. Unless an alternate implementation schedule is established by Ecology as a condition of permit coverage, the SWMP shall be developed and implemented in accordance with the schedules contained in this section and shall be fully developed and implemented no later than 180 days before the expiration date of this Permit. Notwithstanding the schedules in this Permit, secondary permittees that are already

implementing some or all of the required SWMP components shall continue implementation of those components.

4. Secondary permittees may implement parts of their SWMP in accordance with the schedule for cities, towns and counties in S5, provided they have signed a memorandum of understanding or other agreement to jointly implement the activity or activities with one or more jurisdictions listed in S1.D.2.a., and submitted a copy of the agreement to Ecology.
5. Each Secondary Permittee shall prepare written documentation of the SWMP. The SWMP documentation shall be organized according to the program components in S6.D below and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see *S9 Reporting Requirements*). The SWMP documentation shall include:
 - a. A description of each of the program components included in S6.D.1. through S6.D.6., and
 - b. Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to *S7 Compliance with Total Maximum Daily Load Requirements*.

B. Coordination

The SWMP shall include mechanisms to encourage coordinated stormwater-related policies, programs and projects within a watershed and interconnected MS4s. Where relevant and appropriate, the SWMP shall also include coordination among departments of the Secondary Permittee to ensure compliance with the terms of this Permit.

C. Legal Authority

To the extent allowable under state law and federal law, each Secondary Permittee shall be able to demonstrate that they can operate pursuant to legal authority which authorizes or enables the Secondary Permittee to control discharges to and from municipal separate storm sewers owned or operated by the Secondary Permittee.

This legal authority may be a combination of statutes, ordinances, permits, contracts, orders, interagency agreements, or similar instruments.

D. Stormwater Management Program for Secondary Permittees

The term "Secondary Permittees" means drainage, diking, flood control, or diking and drainage districts, ports (other than the ports of Seattle and Tacoma), public colleges and universities, and any other owners or operators of municipal separate storm sewers located within the municipalities that are listed as permittees in S1.B.

SWMP components

1. Public Education and Outreach

Each Secondary Permittee shall implement the following stormwater education strategies:

- a. Storm drain inlets owned and operated by the Secondary Permittee that are located in maintenance yards, in parking lots, along sidewalks, and at pedestrian access points shall be clearly and permanently labeled with the message “Dump no waste” and indicating the point of discharge as a river, lake, bay, or groundwater.
 - i. No later than three years from the date of permit coverage, at least 50 percent of these inlets shall be labeled.
 - ii. No later than 180 days prior expiration date of this Permit, or as established as a condition of coverage by the Ecology, all of these inlets shall be labeled.
 - iii. As identified during visual inspection and regular maintenance of storm drain inlets per the requirements of S6.D.3.d. and S6.D.6.a.i. below, or as otherwise reported to the Secondary Permittee, any inlet having a label that is no longer clearly visible and/or easily readable shall be re-labeled within 90 days.
- b. Each year beginning no later than three years from the date of permit coverage, public ports, colleges and universities shall distribute educational information to tenants and residents on the impact of stormwater discharges on receiving waters, and steps that can be taken to reduce pollutants in stormwater runoff. Different combinations of topics shall be addressed each year, and, before the expiration date of this Permit, where relevant, tenants and residents shall receive educational information about the following topics:
 - i. How stormwater runoff affects local waterbodies
 - ii. Proper use and application of pesticides and fertilizers
 - iii. Benefits of using well-adapted vegetation
 - iv. Alternative equipment washing practices including cars and trucks that minimize pollutants in stormwater
 - v. Benefits of proper vehicle maintenance and alternative transportation choices; proper handling and disposal of vehicle wastes, including the location of hazardous waste collection facilities in the area
 - vi. Hazards associated with illicit connections
 - vii. Benefits of litter control and proper disposal of pet waste

Compliance with this requirement can be achieved through participation in the local jurisdiction’s public education and outreach programs.

2. Public Involvement and Participation

No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, each Secondary Permittee shall:

- a. Publish a public notice in the local newspaper and solicit public review of their SWMP.

- b. Make the latest updated version of the SWMP available to the public. If the Secondary Permittee maintains a website, the SWMP shall be posted on the Secondary Permittee's website.

3. Illicit Discharge Detection and Elimination

Each Secondary Permittee shall:

- a. From the date of permit coverage, comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern non-stormwater discharges.
- b. No later than one year from the date of permit coverage, develop and adopt appropriate policies prohibiting illicit discharges and illegal dumping, and identify possible enforcement mechanisms for those policies. No later than eighteen months from the date of permit coverage, develop and implement an enforcement plan using these mechanisms to ensure compliance with illicit discharge policies. These policies shall address, at a minimum: illicit connections; non-stormwater discharges as defined below; and spilling, dumping, or otherwise improperly disposing of: hazardous materials, pet waste, and litter.
 - i. Non-stormwater discharges covered by another NPDES permit and discharges from emergency fire fighting activities are allowed in the MS4 in accordance with *S2 Authorized Discharges*.
 - ii. The policies do not need to prohibit the following categories of non-stormwater discharges:
 - Diverted stream flows
 - Rising ground waters
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
 - Uncontaminated pumped ground water
 - Foundation drains
 - Air conditioning condensation
 - Irrigation water from agricultural sources that is commingled with urban stormwater
 - Springs
 - Water from crawl space pumps
 - Footing drains
 - Flows from riparian habitats and wetlands
 - iii. The policies shall prohibit the following categories of non-stormwater discharges unless the stated conditions are met:
 - Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a concentration of 0.1 ppm or less, pH-adjusted if

necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4.

- Discharges from lawn watering and other irrigation runoff. These discharges shall be minimized through, at a minimum, public education activities and water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction.
 - Dechlorinated swimming pool discharges. The discharges shall be dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
 - Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The Secondary Permittee shall reduce these discharges through, at a minimum, public education activities and/or water conservation efforts conducted by the Secondary Permittee and/or the local jurisdiction. To avoid washing pollutants into the MS4, the Secondary Permittee shall minimize the amount of street wash and dust control water used. At active construction sites, street sweeping shall be performed prior to washing the street.
 - Other non-stormwater discharges shall be in compliance with the requirements of a stormwater pollution prevention plan reviewed by the Permittee which addresses control of such discharges.
- iv. The Secondary Permittee's SWMP shall, at a minimum, address each category in iii above in accordance with the conditions stated therein.
- v. The SWMP shall further address any category of discharges in ii or iii above if the discharge is identified as a significant source of pollutants to waters of the State.
- c. No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, develop a storm sewer system map showing the locations of all known storm drain outfalls, labeled receiving waters and delineated areas contributing runoff to each outfall. Make the map (or completed portions of the map) available on request to the Department and/or to other Permittees or Secondary Permittees. The preferred, but not required, format of submission will be an electronic format with fully described mapping standards. An example description is provided on Ecology WebPages.
- d. Conduct field inspections and visually inspect for illicit discharges at all known outfalls that discharge to surface waters. Visually inspect at least one third (on average) of all known outfalls each year beginning no later than two years from the date of permit coverage. Develop and implement procedures to identify and

remove any illicit discharges. Keep records of inspections and follow-up activities.

- e. No later than 180 days before the expiration date of this Permit, or as established as a condition of coverage by the Ecology, develop and implement a spill response plan that includes coordination with a qualified spill responder.
- f. Provide staff training or coordinate with existing training efforts to educate relevant staff on proper best management practices for preventing spills and illicit discharges. All relevant staff shall be trained.

4. Construction Site Stormwater Runoff Control

From the date of permit coverage, each Secondary Permittee shall:

- a. Comply with all relevant ordinances, rules, and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern construction phase stormwater pollution prevention measures.
- b. For all construction projects under the control of the Secondary Permittee which, require a construction stormwater permit, Secondary Permittees shall obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activities or an alternative individual NPDES permit prior to discharging construction related stormwater.
- c. Coordinate with the local jurisdiction regarding projects owned and operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).
- d. Provide training or coordinate with existing training efforts to educate relevant staff in erosion and sediment control BMPs and requirements, or hire trained contractors to perform the work.
- e. Coordinate as requested with the Department or the local jurisdiction to provide access for inspection of construction sites or other land disturbances, which are under the control of the Secondary Permittee during the active grading and/or construction period.

5. Post-Construction Stormwater Management for New Development and Redevelopment

From the date of permit coverage, each Secondary Permittee shall:

- a. Comply with all relevant ordinances, rules and regulations of the local jurisdiction(s) in which the Secondary Permittee is located that govern post-construction stormwater pollution prevention measures.
- b. Coordinate with the local jurisdiction regarding projects owned and operated by other entities which discharge into the Secondary Permittee's MS4, to assist the local jurisdiction with achieving compliance with all relevant ordinances, rules, and regulations of the local jurisdiction(s).

6. Pollution Prevention and Good Housekeeping for Municipal Operations

Each Secondary Permittee shall:

- a. No later than three years from the date of permit coverage, develop and implement a municipal operation and maintenance (O&M) plan to minimize stormwater pollution from activities conducted by the Secondary Permittee. The O&M Plan shall include appropriate pollution prevention and good housekeeping procedures for all of the following operations, activities, and/or types of facilities that are present within the Secondary Permittee's boundaries.

- i. Stormwater collection and conveyance system, including catch basins, stormwater sewer pipes, open channels, culverts, structural stormwater controls, and structural runoff treatment and/or flow control facilities. The O&M Plan shall address, but is not limited to: scheduled inspections and maintenance activities, including cleaning and proper disposal of waste removed from the system. Secondary Permittees shall properly maintain stormwater collection and conveyance systems owned or operated by the Secondary Permittee and regularly inspect and maintain all structural post-construction stormwater BMPs to ensure facility function.

For facilities located in Western Washington, Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapter 4 Volume V of the 2005 Stormwater Management Manual for Western Washington,

For facilities located in Eastern Washington, Secondary Permittees shall establish maintenance standards that are as protective or more protective of facility function than those specified in Chapters 5, 6 and 8 of the Stormwater Management Manual for Eastern Washington (2004),

Secondary Permittees shall conduct spot checks of stormwater treatment and flow control facilities following a 24 hour storm event with a 10-year or greater recurrence interval.

- ii. Roads, highways, and parking lots. The O&M Plan shall address, but is not limited to: deicing, anti-icing, and snow removal practices; snow disposal areas; material (e.g. salt, sand, or other chemical) storage areas; all-season BMPs to reduce road and parking lot debris and other pollutants from entering the MS4.
 - iii. Vehicle fleets. The O&M Plan shall address, but is not limited to: storage, washing, and maintenance of municipal vehicle fleets; and fueling facilities. Secondary Permittees shall conduct all vehicle and equipment washing and maintenance in a self-contained covered building or in designated wash and/or maintenance areas.

- iv. External building maintenance. The O&M Plan shall address, building exterior cleaning and maintenance including cleaning, washing, painting and other maintenance activities.
 - v. Parks and open space. The O&M Plan shall address, but is not limited to: proper application of fertilizer, pesticides, and herbicides; sediment and erosion control; BMPs for landscape maintenance and vegetation disposal; and trash management.
 - vi. Material storage areas, heavy equipment storage areas, and maintenance areas. Secondary Permittees shall develop and implement a Stormwater Pollution Prevention Plan to protect water quality at each of these facilities owned or operated by the Secondary Permittee and not covered under the General NPDES Permit for Stormwater Discharges Associated with Industrial Activities or under another NPDES permit that covers stormwater discharges associated with the activity.
 - vii. Other facilities that would reasonably be expected to discharge contaminated runoff. The O&M Plan shall address proper stormwater pollution prevention practices for each facility.
- b. From the date of coverage under this Permit, Secondary Permittees shall also have permit coverage for all facilities owned, or operated by the Secondary Permittee that are required to be covered under the General NPDES Permit for Stormwater Discharges Associated with Industrial Activities.
 - c. The O&M Plan shall include sufficient documentation and records as necessary to demonstrate compliance with the O&M Plan requirements in S6.D.6.a.i through vii above.
 - d. Train all employees whose construction, operations, or maintenance job functions may impact stormwater quality. The training shall address:
 - i. The importance of protecting water quality,
 - ii. The requirements of this Permit,
 - iii. Operation and maintenance requirements,
 - iv. Inspection procedures,
 - v. Ways to perform their job activities to prevent or minimize impacts to water quality, and
 - vi. Procedures for reporting water quality concerns, including potential illicit discharges.

S7. COMPLIANCE WITH TOTAL MAXIMUM DAILY LOAD REQUIREMENTS

The following requirements apply if an applicable Total Maximum Daily Load (TMDL) is approved for stormwater discharges from MS4s owned or operated by the Permittee. Applicable TMDLs are TMDLs which have been approved by EPA on or before the date

permit coverage is granted. All Permittees shall be in compliance with the requirements of applicable TMDLs.

- A. For applicable TMDLs listed in Appendix 2, affected permittees shall comply with the specific requirements identified in Appendix 2. Each Permittee shall keep records of all actions required by this Permit that are relevant to applicable TMDLs within their jurisdiction. The status of the TMDL implementation shall be included as part of the annual report submitted to Ecology.

Where monitoring is required in Appendix 2, the Permittee shall conduct the monitoring according to a Quality Assurance Project Plan (QAPP) approved by Ecology.

- B. For applicable TMDLs not listed in Appendix 2, compliance with this Permit shall constitute compliance with those TMDLs.
- C. For TMDLs that are approved by EPA after this Permit is issued, Ecology may establish TMDL related permit requirements through future permit modification if Ecology determines implementation of actions, monitoring or reporting necessary to demonstrate reasonable further progress toward achieving TMDL waste load allocations, and other targets, are not occurring and shall be implemented during the term of this Permit or when this Permit is reissued. Permittees are encouraged to participate in development of TMDLs within their jurisdiction and to begin implementation.

S8. MONITORING

- A. Permittees are not required to conduct water sampling or other testing during the effective term of this Permit, with the following exceptions:
 - 1. Any water quality monitoring required for compliance with TMDLs, pursuant to section *S7 Compliance with Total Maximum Daily Load Requirements* and Appendix 2 of this Permit, and
 - 2. Any sampling or testing required for characterizing illicit discharges pursuant to section *S5.C.3.* or *S6.D.3.* of this Permit.
- B. The Permittee shall provide the following information in each annual report:
 - 1. A description of any stormwater monitoring or studies conducted by the Permittee during the reporting period. If stormwater monitoring was conducted on behalf of the Permittee, or if studies or investigations conducted by other entities were reported to the Permittee, a brief description of the type of information gathered or received shall be included in the annual report(s) covering the time period(s) the information was received.
 - 2. An assessment of the appropriateness of the BMPs identified by the Permittee for each component of the SWMP; and any changes made, or anticipated to be made, to the BMPs that were previously selected to implement the SWMP, and why.
 - 3. Information required pursuant to *S8.C.2.* below.
- C. Preparation for future, long-term monitoring

This section does not apply to secondary permittees. However, secondary permittees are required to provide information, maps and access for sampling efforts, as necessary. Secondary permittees are encouraged to participate in the monitoring program.

1. All cities, towns and counties shall prepare to participate in the implementation of a comprehensive long-term monitoring program. The monitoring program will include two components: stormwater monitoring and targeted Stormwater Management Program (SWMP) effectiveness monitoring. Stormwater monitoring is intended to characterize stormwater runoff quantity and quality at a limited number of locations in a manner that allows analysis of loadings and changes in conditions over time and generalization across the permittees' jurisdictions. Stormwater program effectiveness monitoring is intended to improve stormwater management efforts by evaluating issues that significantly affect the success of, or confidence in, stormwater controls. The monitoring program can include long-term monitoring and short-term studies. The results of the monitoring program will be used to support the adaptive management process and lead to refinements of the SWMP.

- a. Stormwater monitoring

Cities having a population greater than 10,000 and counties having a population greater than 25,000 shall identify sites for long-term stormwater monitoring. Adequate sites will be those completely mapped as required in S5.C.3.a. and be suitable for permanent installation and operation of flow-weighted composite sampling equipment. No later than December 31, 2010:

- i. Each county having a population greater than 100,000 shall identify three outfalls or conveyances where stormwater sampling could be conducted. One outfall or conveyance shall represent commercial land use, the second shall represent low-density residential land use and the third will represent medium-to-high density residential land use.
- ii. Each city having a population greater than 75,000 shall identify three outfalls or conveyances where stormwater sampling could be conducted. One outfall or conveyance shall represent commercial land use, the second shall represent high-density residential land use and the third will represent industrial land use.
- iii. Each county having a population between 25,000 and 100,000 shall identify two outfalls or conveyances where stormwater sampling could be conducted. One outfall shall represent commercial land use and the second one will represent low-density residential land use.
- iv. Each city having a population between 10,000 and 75,000 shall identify two outfalls or conveyances where stormwater sampling could be conducted. One outfall shall represent commercial land use and the second will represent high-density residential land use.
- v. Permittees shall document how sites are selected and justify the basin size, based on comparison of the times of concentration with rainfall durations for typical seasonal storms. Each site shall represent a discernible type of land

use, but not be a single industrial or commercial complex. Ideally, to represent a particular land use, no less than 80% of the area served by the outfall or conveyance will be classified as having that land use. Permittees may move upstream in the conveyance system to achieve the desired land use, or, if a primarily industrial or commercial area is not present, an area of mixed industrial and commercial land use may be selected.

b. SWMP effectiveness monitoring

- i. Each city, town and county shall prepare to conduct monitoring to determine the effectiveness of the Permittee's SWMP at controlling stormwater-related problems that are directly addressed by actions in the SWMP. This component of the monitoring program shall be designed to answer the following types of questions:
 - How effective is a targeted action or narrow suite of actions?
 - Is the SWMP achieving a targeted environmental outcome?
- ii. No later than December 31, 2010, each city, town and county shall identify at least two suitable questions and select sites where monitoring will be conducted. This monitoring shall include, at a minimum, plans for stormwater, sediment or receiving water monitoring of physical, chemical and/or biological characteristics. This monitoring may also include data collection and analysis of other measures of program effectiveness, problem identification and characterizing discharges for planning purposes.
- iii. For each question, the Permittee shall develop a monitoring plan containing the following elements:
 - A statement of the question, an explanation of how and why the issue is significant to the Permittee, and a discussion of whether and how the results of the monitoring may be significant to other MS4s.
 - A specific hypothesis about the issue or management actions that will be tested.
 - Specific parameters or attributes to be measured.
 - Expected modifications to management actions depending on the outcome of hypothesis testing.

2. Monitoring program reporting requirements

- a. The fourth annual report shall:
 - i. Describe the status of identification of sites for stormwater monitoring, if required for the Permittee.
 - ii. Include a summary of proposed questions for the SWMP effectiveness monitoring and describe the status of developing the monitoring plan, including the proposed purpose, design, and methods.

- b. To comply with the requirements of all or part(s) of this section, permittees in a single Urbanized Area or WRIA may choose to submit a collaborative report or reports in lieu of separate reports.

S9. REPORTING REQUIREMENTS

- A. No later than March 31 of each year beginning in 2008, each Permittee shall submit an annual report. The reporting period for the first annual report will be from the effective date of this permit through December 31, 2007. The reporting period for all subsequent annual reports will be the previous calendar year.
- B. Two printed copies and an electronic (PDF) copy of each document shall be submitted to Ecology. All submittals shall be delivered to:

Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696

- C. Each Permittee is required to keep all records related to this permit and the SWMP for at least five years. Except for the requirements of the annual reports described in this permit, records shall be submitted to Ecology only upon request,
- D. Each Permittee shall make all records related to this permit and the Permittee's SWMP available to the public at reasonable times during business hours. The Permittee will provide a copy of the most recent annual report to any individual or entity, upon request.
 - 1. A reasonable charge may be assessed by the Permittee for making photocopies of records.
 - 2. The Permittee may require reasonable advance notice of intent to review records related to this Permit.

- E. The annual report for cities, towns, and counties

Each annual report shall include the following:

- 1. A copy of the Permittee's current Stormwater Management Program as required by S5.A.2.
- 2. Submittal of Appendix 3 – *Annual Report Form for Cities, Towns, and Counties*, which is intended to summarize the Permittees compliance with the conditions of this permit, including:
 - a. Status of implementation of each component of the SWMP in section S5 *Stormwater Management Program for Cities, Towns and Counties*.
 - b. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.
 - c. A description of activities being implemented to comply with each component of the SWMP, including the number and type of inspections, enforcement

actions, public education and involvement activities, and illicit discharges detected and eliminated.

- d. The Permittee's SWMP implementation schedule and plans for meeting permit deadlines, and the status of SWMP implementation to date. If permit deadlines are not met, or may not be met in the future, include: reasons why, corrective steps taken and proposed, and expected dates that the deadlines will be met.
 - e. A summary of the Permittee's evaluation of their SWMP, according to sections S5.A.4. and S8.B.2.
 - f. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.
 - g. Updated information from the prior annual report plus any new information received during the reporting period, pursuant to S8.B.2. above.
 - h. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.
3. Permittees shall include with the annual report, notification of any annexations, incorporations or jurisdictional boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.

F. Annual report for Secondary Permittees

All Secondary Permittees shall complete the *Annual Report Form for Secondary Permittees* (Appendix 4) and submit it along with any supporting documentation to Ecology.

1. The *Annual Report Form for Secondary Permittees* is intended to summarize the Permittees compliance with the conditions of this permit, including:
 - a. Status of implementation of each component of the SWMP in section S6 *Stormwater Management Program for Secondary Permittees* of this permit.
 - b. An assessment of the Permittee's progress in meeting the minimum performance standards established for each of the minimum control measures of the SWMP.
 - c. A summary of the Permittee's evaluation of their SWMP, according to section S8.B.2.
 - d. If applicable, notice that the MS4 is relying on another governmental entity to satisfy any of the obligations under this permit.
 - e. Updated information from the prior annual report plus any new information received during the reporting period pursuant to S8.B.1 and S8.B.2.
 - f. Certification and signature pursuant to G19.D, and notification of any changes to authorization pursuant to G19.C.
2. Secondary Permittees shall include with the annual report a notification of any jurisdictional boundary changes resulting in an increase or decrease in the

Western Washington Phase II Municipal Stormwater Permit

Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP.

GENERAL CONDITIONS

G1. DISCHARGE VIOLATIONS

All discharges and activities authorized by this Permit shall be consistent with the terms and conditions of this Permit.

G2. PROPER OPERATION AND MAINTENANCE

The Permittee shall at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control to achieve compliance with the terms and conditions of this Permit.

G3. NOTIFICATION OF SPILL

If a Permittee has knowledge of a spill into a municipal storm sewer which could constitute a threat to human health, welfare, or the environment, the Permittee shall notify the Ecology regional office and other appropriate spill response authorities immediately but in no case later than within 24 hours of obtaining that knowledge. Spills which might cause bacterial contamination of shellfish, such as might result from broken sewer lines, shall be reported immediately to the Department of Ecology and to the Department of Health, Shellfish Program. The Department of Ecology's regional office 24-hour number is (425)649-7000 for NWRO and (360)407-6300 for SWRO and the Department of Health's shellfish 24-hour number is (360)236-3330.

G4. BYPASS PROHIBITED

The intentional bypass of stormwater from all or any portion of a stormwater treatment BMP whenever the design capacity of the treatment BMP is not exceeded, is prohibited unless the following conditions are met:

- A. Bypass is: (1) unavoidable to prevent loss of life, personal injury, or severe property damage; or (2) necessary to perform construction or maintenance-related activities essential to meet the requirements of the Clean Water Act (CWA); and
- B. There are no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated stormwater, or maintenance during normal dry periods.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

G5. RIGHT OF ENTRY

The permittee shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law at reasonable times:

- A. To enter upon the Permittee's premises where a discharge is located or where any records must be kept under the terms and conditions of this Permit;
- B. To have access to, and copy at reasonable cost and at reasonable times, any records that must be kept under the terms of the Permit;
- C. To inspect at reasonable times any monitoring equipment or method of monitoring required in the Permit;
- D. To inspect at reasonable times any collection, treatment, pollution management, or discharge facilities; and
- E. To sample at reasonable times any discharge of pollutants.

G6. DUTY TO MITIGATE

The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

G7. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G8. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in the Permit shall be construed as excusing the Permittee from compliance with any other applicable federal, state, or local statutes, ordinances, or regulations.

G9. MONITORING

A. Representative Sampling:

Samples and measurements taken to meet the requirements of this Permit shall be representative of the volume and nature of the monitored discharge, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.

B. Records Retention:

The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this permit, for a period of at least five years. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the permittee or when requested by the Ecology. On request, monitoring data and analysis shall be provided to Ecology.

C. Recording of Results:

For each measurement or sample taken, the Permittee shall record the following information: (1) the date, exact place and time of sampling; (2) the individual who

performed the sampling or measurement; (3) the dates the analyses were performed; (4) who performed the analyses; (5) the analytical techniques or methods used; and (6) the results of all analyses.

D. Test Procedures:

All sampling and analytical methods used to meet the monitoring requirements in this permit shall conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136, unless otherwise specified in this permit or approved in writing by Ecology.

E. Flow Measurement:

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements are consistent with the accepted industry standard for that type of device. Frequency of calibration shall be in conformance with manufacturer's recommendations or at a minimum frequency of at least one calibration per year. Calibration records should be maintained for a minimum of three years.

F. Lab Accreditation:

All monitoring data, except for flow, temperature, conductivity, pH, total residual chlorine, and other exceptions approved by Ecology, shall be prepared by a laboratory registered or accredited under the provisions of, Accreditation of Environmental Laboratories, Chapter 173-50 WAC. Soils and hazardous waste data are exempted from this requirement pending accreditation of laboratories for analysis of these media by Ecology.

G. Additional Monitoring:

Ecology may establish specific monitoring requirements in addition to those contained in this permit by administrative order or permit modification.

G10. REMOVED SUBSTANCES

With the exception of decant from street waste vehicles, the Permittee shall not allow collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of stormwater to be resuspended or reintroduced to the storm sewer system or to waters of the state. Decant from street waste vehicles resulting from cleaning stormwater facilities may be reintroduced only when other practical means are not available and only in accordance with the Street Waste Disposal Guidelines in Appendix 4.

G11. SEVERABILITY

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this permit to any circumstance, is held invalid, the

application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby.

G12. REVOCATION OF COVERAGE

The director may terminate coverage under this General Permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC. Cases where coverage may be terminated include, but are not limited to the following:

- A. Violation of any term or condition of this general permit;
- B. Obtaining coverage under this general permit by misrepresentation or failure to disclose fully all relevant facts;
- C. A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge;
- D. A determination that the permitted activity endangers human health or the environment, or contributes significantly to water quality standards violations;
- E. Failure or refusal of the permittee to allow entry as required in Chapter 90.48.090 RCW;
- F. Nonpayment of permit fees assessed pursuant to Chapter 90.48.465 RCW;

Revocation of coverage under this general permit may be initiated by Ecology or requested by any interested person.

G13. TRANSFER OF COVERAGE

The director may require any discharger authorized by this General Permit to apply for and obtain an individual permit in accordance with Chapter 43.21B RCW and Chapter 173-226 WAC.

G14. GENERAL PERMIT MODIFICATION AND REVOCATION

This General Permit may be modified, revoked and reissued, or terminated in accordance with the provisions of WAC 173-226-230. Grounds for modification, revocation and reissuance, or termination include, but are not limited to the following:

- A. A change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this General Permit;
- B. Effluent limitation guidelines or standards are promulgated pursuant to the CWA or Chapter 90.48 RCW, for the category of dischargers covered under this General Permit;
- C. A water quality management plan containing requirements applicable to the category of dischargers covered under this General Permit is approved; or
- D. Information is obtained which indicates that cumulative effects on the environment from dischargers covered under this General Permit are unacceptable.

- E. Changes in state law that reference this permit.

G15. REPORTING A CAUSE FOR MODIFICATION OR REVOCATION

A Permittee who knows or has reason to believe that any activity has occurred or will occur which would constitute cause for modification or revocation and reissuance under Condition G12, G14, or 40 CFR 122.62 must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify, or revoke and reissue this Permit will be required. Ecology may then require submission of a new or amended application. Submission of such application does not relieve the Permittee of the duty to comply with this Permit until it is modified or reissued.

G16. APPEALS

- A. The terms and conditions of this General Permit, as they apply to the appropriate class of dischargers, are subject to appeal within thirty days of issuance of this General Permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.
- B. The terms and conditions of this General Permit, as they apply to an individual discharger, are appealable in accordance with chapter 43.21B RCW within thirty days of the effective date of coverage of that discharger. Consideration of an appeal of General Permit coverage of an individual discharger is limited to the General Permit's applicability or nonapplicability to that individual discharger.
- C. The appeal of General Permit coverage of an individual discharger does not affect any other dischargers covered under this General Permit. If the terms and conditions of this General Permit are found to be inapplicable to any individual discharger(s), the matter shall be remanded to Ecology for consideration of issuance of an individual permit or permits.
- D. Modifications of this Permit are appealable in accordance with chapter 43.21B RCW and chapter 173-226 WAC.

G17. PENALTIES

40 CFR 122.41(a)(2) and (3), 40 CFR 122.41(j)(5), and 40 CFR 122.41(k)(2) are hereby incorporated into this Permit by reference.

G18. DUTY TO REAPPLY

The Permittee must apply for permit renewal at least 180 days prior to the specified expiration date of this permit.

G19. CERTIFICATION AND SIGNATURE

All applications, reports, or information submitted to the Department shall be signed and certified.

- A. All permit applications shall be signed by either a principal executive officer or ranking elected official.
- B. All reports required by this Permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 1. The authorization is made in writing by a person described above and submitted to the Department, and
 - 2. The authorization specifies either an individual or a position having responsibility for the overall development and implementation of the stormwater management program. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- C. Changes to authorization. If an authorization under condition G19.B.2 is no longer accurate because a different individual or position has responsibility for the overall development and implementation of the stormwater management program, a new authorization satisfying the requirements of condition G19.B.2 must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- D. Certification. Any person signing a document under this Permit shall make the following certification:

“I certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.”

G20. NON-COMPLIANCE NOTIFICATION

In the event the Permittee is unable to comply with any of the terms and conditions of this permit, including discharges from the Permittees MS4 which may cause a threat to human health or the environment, the Permittee shall:

- A. Take appropriate action to correct or minimize the threat to human health or the environment or otherwise stop or correct the condition of noncompliance.
- B. Notify Ecology of the failure to comply with the permit terms and conditions within 30 days of becoming aware of the non-compliance.
- C. Notify Ecology immediately in cases where the Permittee becomes aware of a discharge from the Permittee’s MS4 which may cause or contribute to an imminent threat to human health or the environment.

G21. UPSETS

Permittees must meet the conditions of 40 CFR 122.41(n) regarding “Upsets.” The conditions are as follows:

- A. Definition. “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- B. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (C) of this condition are met. Any determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, will not constitute final administrative action subject to judicial review.
- C. Conditions necessary for demonstration of upset. A permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
 - 1. An upset occurred and that the Permittee can identify the cause(s) of the upset;
 - 2. The permitted facility was at the time being properly operated; and
 - 3. The Permittee submitted notice of the upset as required in 40 CFR 122.41(l)(6)(ii)(B) (24-hour notice of noncompliance).
 - 4. The Permittee complied with any remedial measures required under 40 CFR 122.41(d) (Duty to Mitigate).
- D. Burden of proof. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an upset has the burden of proof.

DEFINITIONS AND ACRONYMS

AKART means all known, available, and reasonable methods of prevention, control and treatment.

All known, available and reasonable methods of prevention, control and treatment refers to the State Water Pollution Control Act, Chapter 90.48.010 and 90.48.520 RCW.

Applicable TMDL means a TMDL which has been approved by EPA on or before the issuance date of this Permit, or prior to the date that the Permittee's application is received by Ecology, or prior to a modification of this Permit, whichever is later.

Beneficial Uses means uses of waters of the states which include but are not limited to use for domestic, stock watering, industrial, commercial, agricultural, irrigation, mining, fish and wildlife maintenance and enhancement, recreation, generation of electric power and preservation of environmental and aesthetic values, and all other uses compatible with the enjoyment of the public waters of the state.

Best Management Practices ("BMPs") are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by the Department that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Bypass means the diversion of stormwater from any portion of a stormwater treatment facility.

Common plan of development or sale means a site where multiple separate and distinct construction activities may be taking place at different times on different schedules, but still under a single plan. Examples include: phased projects and projects with multiple filings or lots, even if the separate phases or filings/lots will be constructed under separate contract or by separate owners (e.g. a development where lots are sold to separate builders); a development plan that may be phased over multiple years, but is still under a consistent plan for long-term development; and projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility. If the project is part of a common plan of development or sale, the disturbed area of the entire plan shall be used in determining permit requirements.

Component or **Program Component** means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees of this permit.

Co-permittee means an operator of a regulated small MS4 which is applying jointly with another applicant for coverage under this permit. A co-permittee is an owner or operator of a regulated small MS4 located within or adjacent to another regulated MS4. A co-permittee is only responsible for complying with the conditions of this permit relating to discharges from the MS4 the co-permittee owns or operates. See also 40 CFR 122.26(b)(1)

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Detailed Implementation Plan means the formal implementation plan for a Total Maximum Daily Load (TMDL) or water quality clean-up plan.

DIP means Detailed Implementation Plan.

Director means the Director of the Washington State Department of Ecology, or an authorized representative.

Discharge for the purpose of this permit means, unless indicated otherwise, any discharge from a MS4 owned or operated by the permittee.

Entity means another governmental body, or public or private organization, such as another permittee, a conservation district, or volunteer organization.

Equivalent document means a technical stormwater management manual developed by a state agency, local government or other entity that includes the Minimum Technical Requirements in Appendix 1 of this Permit. The Department may conditionally approve manuals that do not include the Minimum Technical Requirements in Appendix 1; in general, the Best Management Practices (BMPs) included in those documents may be applied at new development and redevelopment sites, but the Minimum Technical Requirements in Appendix 1 must still be met.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the federal government.

General Permit means a permit which covers multiple dischargers of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharger.

Ground water means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored.

Hydraulically Near means runoff from the site discharges to the sensitive feature without significant natural attenuation of flows that allows for suspended solids removal. See Appendix 7 Determining Construction Site Sediment Damage Potential for a more detailed definition.

Hyperchlorinated means water that contains more than 10 mg/Liter chlorine. Disinfection of water mains and appurtenances requires a chlorine residual of 10 mg/L at the end of the disinfection period. This level is well above the Maximum Residual Disinfectant Level of an annual average of 4 mg/Liter chlorine for potable water.

Illicit connection means any man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

Large Municipal Separate Storm Sewer System means all municipal separate storm sewer systems located in an incorporated place with a population of 250,000 or more, a county with unincorporated urbanized areas with a population of 250,000 or more according to the 1990 decennial census by the Bureau of Census.

Low Density Residential Land Use means, for the purpose of permit section S8 Monitoring, one unit per 1-5 acres.

Low Impact Development (LID) means a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Major Municipal Separate Storm Sewer Outfall means a municipal separate storm sewer outfall from a single pipe with an inside diameter of 36 inches or more, or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 12 acres or more).

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable (MEP) refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

Medium Municipal Separate Storm Sewer System means municipal separate storm sewer systems located in an incorporated place with a population of more than 100,000 but less than 250,000, or a county with unincorporated urbanized areas of more than 100,000 but less than 250,000 according to the 1990 decennial census by the Bureau of Census.

MEP means Maximum Extent Practicable.

MTRs means Minimum Technical Requirements.

Municipal Separate Storm Sewer System (MS4) means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (i) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over

disposal of wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

- (ii) designed or used for collecting or conveying stormwater.
- (iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Notice of Intent (NOI) means the application for, or a request for coverage under this General Permit pursuant to WAC 173-226-200.

Notice of Intent for Construction Activity and Notice of Intent for Industrial Activity mean the application forms for coverage under the *Baseline General Permit for Stormwater Discharges Associated with Industrial Activities*.

Outfall means point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewer systems, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

Permittee unless otherwise noted, the term “Permittee” includes Permittee, Co-Permittee, and Secondary Permittee, as defined below:

- (i) A “Permittee” is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.
- (ii) A “Co-Permittee” is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.
- (iii) A “Secondary Permittee” is an operator of regulated small MS4 that is not a city, town or county.

Physically Interconnected means that one MS4 is connected to a second MS4 in such a way that it allows for direct discharges to the second system. For example, the roads with drainage systems and municipal streets of one entity are physically connected directly to a MS4 belonging to another entity.

Pollutant Generating Impervious Surfaces (PGIS) are surfaces considered to be significant sources of pollutants in stormwater runoff. Such surfaces include those that are subject to vehicular use, industrial activities, or storage of erodible or leachable materials that receive direct rainfall or run-on or blow-in of rainfall. Metal roofs are considered to be PGIS unless

coated with an inert, non-leachable material. Roofs that are subject to venting of indoor pollutants from manufacturing, commercial or other operations or processes are also considered PGIS. A surface, whether paved or not, shall be considered PGIS if it is regularly used by motor vehicles. The following are considered regularly-used surfaces: roads, unvegetated road shoulders, bike lanes within the traveled lane of a roadway, driveways, parking lots, unfenced fire lanes, vehicular equipment storage yards, and airport runways.

Process Wastewater means any water which, during manufacture or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by product, or waste product.

Qualified Personnel or Consultant means someone who has had professional training in the aspects of stormwater management for which they are responsible and are under the functional control of the Permittee.

RCW means the Revised Code of Washington State.

Regulated Small Municipal Separate Storm Sewer System (MS4) means a Municipal Separate Storm Sewer System which is automatically designated for inclusion in the Phase II stormwater permitting program by its location within an Urbanized Area, or by designation by the NPDES permitting authority and is not eligible for a waiver or exemption under S1.C.

Replaced impervious surfaces means, for structures, the removal and replacement of any exterior impervious surfaces or foundation; or, for other impervious surfaces, the removal down to bare soil, or base course, and replacement. Exemptions and partial exemptions are defined in Appendix 1 of this Permit.

Runoff is water that travels across the land surface and discharges to water bodies either directly or through a collection and conveyance system. See also “Stormwater.”

Shared Waterbodies means waterbodies, including downstream segments, lakes and estuaries that receive discharges from more than one permittee.

Secondary Permittee is an operator of regulated small municipal separate storm sewer system which is not a city, town or county. Secondary Permittees include special purpose districts and other MS4s that meet the criteria for a regulated small MS4 in S1.B.

Significant contributor means a discharge contributes a loading of pollutants considered to be sufficient to cause or exacerbate the deterioration of receiving water quality or instream habitat conditions.

Sediment/Erosion-Sensitive Feature means an area subject to significant degradation due to the effect of construction runoff or areas requiring special protection to prevent erosion. See Appendix 6 Determining Construction Site Sediment Transport Potential for a more detailed definition.

Small Municipal Separate Storm Sewer System or Small MS4 is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

- a. Owned or operated by a city, town, county, district, association or other public body created pursuant to State law having jurisdiction over disposal of sewage, industrial

wastes, stormwater, or other wastes, including special districts under State law such as a sewer districts, flood control districts or drainage districts, or similar entity.

- b. Designed or used for collecting or conveying stormwater.
- c. Not a combined sewer system,
- d. Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.
- e. Not defined as “large” or “medium” pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Small MS4s include systems similar to separate storm sewer systems in municipalities such as: universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this Permit.

Small MS4s do *not* include storm drain systems operated by non-governmental entities such as: individual buildings, private schools, private colleges, private universities, and industrial and commercial entities.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater Management Manual for Western Washington means the 5-volume technical manual (Publication Nos. 99-11 through 15 for the 2001 version and Publication Nos. 05-10-029-033 for the 2005 version (The 2005 version replaces the 2001 version) prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in storm water.

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of this Permit and any additional actions necessary to meet the requirements of applicable

Total Maximum Daily Load (TMDL) means a water cleanup plan. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant’s sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation must also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

Urbanized Area (UA) is a land area comprising one or more places and the adjacent densely settled surrounding area that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile. For the year 2000 Census, the U.S. Census Bureau classified "urban" as all territory, population, and housing units located within an Urbanized Area (UA) or an Urban Cluster (UC). It delineated UA and UC boundaries to encompass densely settled territory, which consists of: core census block groups or blocks that have a population density of at least 1,000 people per square mile and surrounding census blocks that have an overall density of at least 500 people per square mile. In addition, under certain conditions, less densely settled territory may be part of each UA or UC. The U.S. Census Bureau announced the "Census 2000 Urbanized Areas" on May 1, 2002. More information can be found at the U.S. Census Bureau website.

Urban/higher density rural subbasins means any subbasin or portion thereof that is within or proposed to be within the urban growth area (UGA), or any rural area subbasin or portion thereof fifty percent or more of which is comprised of lots smaller than 5 acres in size.

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW which includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Water Quality Standards means Surface Water Quality Standards, Chapter 173-201A WAC, Ground Water Quality Standards, Chapter 173-200 WAC, and Sediment Management Standards, Chapter 173-204 WAC.

APPENDIX B

Annual Report Form

APPENDIX 3 – Annual Report Form for Cities, Towns and Counties Covered under the Western Washington Phase II Municipal stormwater Permit

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Annual Report for Calendar Year_____.

Two printed copies and one electronic copy of this report are due to Ecology by March 31, of the following calendar year. For all annual reports complete sections I through VI. For the third and all following annual reports also complete section VII. Do not leave any questions blank.

I. Permittee Information

<i>Permittee Name</i>	<i>Permit Coverage Number</i>	
<i>Contact Name</i>	<i>Phone Number</i>	
<i>Mailing Address</i>		
<i>City</i>	<i>State</i>	<i>Zip + 4</i>
<i>Email Address</i>		

II. Regulated Small MS4 Location

<i>Jurisdiction</i>
<i>Entity Type</i> <input type="checkbox"/> <i>County</i> <input type="checkbox"/> <i>City or Town</i> <input type="checkbox"/> <i>Other</i> _____
<i>Major receiving water(s)</i>

III. Relying on another Governmental Entity

If you are relying on another governmental entity to satisfy one or more of the permit obligations, list the entity and the permit obligation(s) they are implementing on your behalf below. ***Attach a copy of your agreement with the other entity.***

IV. Certification

All annual reports must be signed and certified by the responsible official(s) of permittee or co-permittees

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Name_____Title_____Date_____

Name_____Title_____Date_____

Name_____Title_____Date_____

V. Submittal

Deliver two printed copies and one electronic copy (MS Word format or PDF, on CD ROM) of this report by March 31 to:

Department of Ecology
Water Quality Program
Municipal Stormwater Permits
P.O. Box 47696
Olympia, WA 98504-7696

VI. Status Report Covering Calendar Year_____.

Please label any attachments with corresponding question numbers.

Note: Items that have future compliance dates must still be checked to indicate status.

1. YES ☐ NO ☐ **Attached** annual written update of Permittee's Stormwater Management Program (SWMP), including applicable requirements under S5.A.2 and S9?

Comments:

2. YES ☐ NO ☐ **Attached** a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP as per S9.E.3?

Comments:

3. YES ☐ NO ☐ Implemented an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities? (S5.A.3)

Comments?

4. YES ☐ NO ☐ Began tracking costs or estimated costs of the development and implementation of the SWMP? (*Required* no later than January 1, 2009, S5.A.3.a)

Comments?

5. YES ☐ NO ☐ SWAP includes an education program aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee? (S5.C.1)

Comments:

-
6. YES ☐ NO ☐ Distributed appropriate information to target audiences identified in the area served by the MS4? (*Required* by February 15, 2009, S5.C.1.a)
Check audiences targeted:
- | | | |
|--|--|--|
| <input type="checkbox"/> General public | <input type="checkbox"/> Residents | <input type="checkbox"/> Homeowners |
| <input type="checkbox"/> Home based business | <input type="checkbox"/> Businesses | <input type="checkbox"/> Mobile business |
| <input type="checkbox"/> Elected officials | <input type="checkbox"/> Policy makers | <input type="checkbox"/> Industries |
| <input type="checkbox"/> Developers | <input type="checkbox"/> Engineers | <input type="checkbox"/> Landscapers |
| <input type="checkbox"/> Contractors | <input type="checkbox"/> Property managers | <input type="checkbox"/> Planning staff |
| <input type="checkbox"/> Permittee Employees | <input type="checkbox"/> Other _____ | |
- Comments:*
-
7. YES ☐ NO ☐ Tracked the types of public education and outreach activities implemented? (*Required* by February 15, 2009, S5.C.1.b and S5.A.3.b)
Number of activities implemented: _____
- Comments:*
-
8. YES ☐ NO ☐ Measured the understanding and adoption of the targeted behaviors among targeted audiences? (*Required* by February 15, 2009, S5.C.1.b)
- Comments:*
-
9. YES ☐ NO ☐ Provided opportunities for the public to participate in the decision making processes involving the development, implementation and updates of the Permittee's SWMP? (*Required* by February 15, 2008, S5.C.2.a)
- Comments:*
-
10. YES ☐ NO ☐ Developed and implemented a process for public involvement and consideration of public comments on the SWMP? (*Required* by February 15, 2008, S5.C.2.a)
- Comments:*
-
11. YES ☐ NO ☐ Made the most current version of the SWMP available to the public? (S5.C.2.b)
- Comments:*
-
12. YES ☐ NO ☐ Posted the SWMP on your website? (S5.C.2.b)
Site address: _____
- Comments:*
-

-
13. YES ☐ NO ☐ Initiated or implemented an ongoing program to detect and remove illicit connections and illegal discharges into the Permittee's MS4? (*Required August 19, 2011, S5.C.3*)

Comments:

-
14. YES ☐ NO ☐ Developed and currently maintain a map of your MS4? (*Required by February 15, 2011, S5.C.3.a*)

Comments:

-
15. YES ☐ NO ☐ Map shows the location of all known municipal separate storm sewer outfalls, receiving waters and structural stormwater BMPs owned, operated, or maintained by the Permittee? (*Required by February 15, 2011, S5.C.3.a.i*)

Comments:

-
16. YES ☐ NO ☐ Map shows all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems and includes tributary conveyances, associated drainage areas and land use? (*Required by February 15, 2011, S5.C.3.a.i*)

Comments:

-
17. YES ☐ NO ☐ Map shows geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters? (*Required by February 15, 2011, S5.C.3.a.iii*)

Comments:

-
18. YES ☐ NO ☐ Map has been made available upon request? (*S5.C.3.a.iii*)

Comments:

-
19. YES ☐ NO ☐ Developed and implemented regulatory actions necessary to effectively prohibit non-stormwater, illegal discharges, and/or dumping into the Permittee's MS4? (*Required by August 15, 2009, S5.C.3.b*)

Comments:

-
20. YES ☐ NO ☐ Developed and implemented an ongoing program to detect and address non-stormwater discharges, spills, illicit connections and illegal dumping into the Permittee's MS4? (*Required by August 19, 2011, S5.C.3.c*)

Comments

-
21. YES ☐ NO ☐ Developed procedures for locating priority areas likely to have illicit discharges, including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in spills? (*Required by August 19, 2011, S5.C.3.c.i*)

Comments:

-
22. YES ☐ NO ☐ Implemented field assessment activities, including visual inspection of priority outfalls identified during dry weather, and for the purposes of verifying outfall locations, identified previously unknown outfalls, and detected illicit discharges? (*Required by August 19, 2011, S5.C.3.c.ii*)

Comments:

-
23. YES ☐ NO ☐ Prioritized receiving waters for visual inspection? (*Required by February 15, 2010, S5.C.3.c.ii*)

Comments:

-
24. YES ☐ NO ☐ Conducted field assessments for three high priority water bodies? (*Required by February 15, 2011, S5.C.3.c.ii*)

Comments:

-
25. YES ☐ NO ☐ Conducted field assessments on at least one high priority water body? (*Required annually after February 15, 2011, S5.C.3.c.ii*)

Comments:

-
26. YES ☐ NO ☐ Developed and implemented procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee? (*Required by August 19, 2011, S5.C.3.c.iii*)

Comments:

-
27. YES ☐ NO ☐ Developed and implemented procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures? (*Required* by August 19, 2011, S5.C.3.c.iv)

Comments:

-
28. YES ☐ NO ☐ Developed and implemented procedures for removing the source of the discharge, including notification of appropriate authorities; notification of the property owner; technical assistance for eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated? (*Required* by August 19, 2011, S5.C.3.c.v.)

Comments:

-
29. YES ☐ NO ☐ Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste? (*Required* by August 19, 2011, S5.C.3.d)

Comments:

-
30. YES ☐ NO ☐ Distributed appropriate information to target audiences identified pursuant to S5.C.1? (*Required* by August 19, 2011, S5.C.3.d.i)

Comments:

-
31. YES ☐ NO ☐ Publicized a hotline or other local telephone number for public reporting of spills and other illicit discharges? (*Required* by February 15, 2009, S5.C.3.d.ii)
Number of calls received? _____
Number of follow-up actions taken? _____

Comments:

-
32. YES ☐ NO ☐ Tracked the number and type of spills? (*Required* by August 19, 2011, S5.C.3.e)
Number of spills: _____.

Comments:

33. YES ☐ NO ☐ Tracked the number of illicit discharges identified? (*Required by August 19, 2011, S5.C.3.e*)
Number of illicit discharges identified: _____.

Comments:

34. YES ☐ NO ☐ Tracked the number inspections made for illicit connections? (*Required by August 19, 2011, S5.C.3.e*)
Number of inspections: _____.

Comments

35. YES ☐ NO ☐ Received feedback from public education efforts? (*Required by August 19, 2011, S5.C.3.e*)

Comments:

36. YES ☐ NO ☐ **Attached** report on public education efforts? (*Required by August 19, 2011, S5.C.3.e*)

Comments:

37. YES ☐ NO ☐ Municipal field staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, improper disposal and illicit connections are trained to conduct these activities? (*Required by August 15, 2009, S5.C.3.f.i*)
Number of trainings provided: _____
Number of staff trained: _____

Comments:

38. YES ☐ NO ☐ Provided follow-up training as needed to address changes in procedures, techniques or requirements? (*Required by August 15, 2009, S5.C.3.f.i*)
Number of trainings provided: _____
Number of staff trained: _____

Comments:

39. YES ☐ NO ☐ Developed and implemented an ongoing training program on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/connection for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system? (*Required by February 15, 2010, S5.C.3.f.ii.*)

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Number of trainings provided: _____

Number of staff trained: _____

Comments:

-
- 40.** YES ☐ NO ☐ Developed, implemented and enforced a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities? (S5.C.4)

Comments:

-
- 41.** YES ☐ NO ☐ Applied stormwater runoff program to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (S5.C.4)

Comments:

-
- 42.** YES ☐ NO ☐ Applied stormwater runoff program to private and public development, including roads? (S5.C.4)

Comments:

-
- 43.** YES ☐ NO ☐ Applied the “Technical Thresholds” in Appendix 1 to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (S5.C.4)

Comments:

-
- 44.** YES ☐ NO ☐ Adopted and implemented regulatory mechanism (such as an ordinance) necessary to address run-off from new development, redevelopment and construction site activities? (*Required* by August 15, 2009, S5.C.4.a)

Comments:

-
- 45.** YES ☐ NO ☐ Retained existing local requirements to apply stormwater controls at smaller sites, or at lower thresholds, than required pursuant to S5.C.4?

Comments:

-
- 46. YES ☐ NO ☐** The ordinance or other enforceable mechanism includes the minimum requirements, technical thresholds, and definitions in Appendix 1 (or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit) for new development, redevelopment, and construction sites? (*Required by August 15, 2009, S5.C.4.a.i*)

Comments:

-
- 47. YES ☐ NO ☐** The ordinance or other enforceable mechanism includes exceptions and variance criteria equivalent to those in Appendix 1? (*Required by August 15, 2009, S5.C.4.a.i., and Section 6 of Appendix 1*)

Comments:

-
- 48. YES ☐ NO ☐** Were exceptions or variances to the minimum requirements in Appendix 1 granted? If so, how many were granted? _____. (*Required by August 15, 2009, S5.C.4.a.i., and Section 6 of Appendix 1*)

Comments:

-
- 49. YES ☐ NO ☐** The ordinance or other enforceable mechanism includes a site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 (or equivalent approved by Ecology under the Phase I Permit) will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge?
Cite documentation to meet this requirement: _____
(*Required by August 15, 2009, S5.C.4.a.ii*)

Comments:

-
- 50. YES ☐ NO ☐** The ordinance or other enforceable mechanism provides the legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee's MS4?
(*Required by August 15, 2009, S5.C.4.a.iii*)

Comments:

-
- 51. YES ☐ NO ☐** The ordinance or other enforceable mechanism allows non-structural preventive actions and source reduction approaches such as Low Impact Development (LID) Techniques to minimize the creation of impervious

surfaces and minimize the disturbance of native soils and vegetation?
(Required by August 15, 2009, S5.C.4.a.iv)

Comments:

-
52. YES ☐ NO ☐ If the ordinance or regulatory mechanism allows construction sites to apply the “Erosivity Waiver” in Appendix 1, Minimum Requirement #2, does it include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver? (If waiver is allowed, the qualification is required by August 15, 2009, S5.C.4.a.v)

Comments:

-
53. YES ☐ NO ☐ Developed and implemented a permitting process to address run-off from new development, redevelopment and construction site activities with plan review, inspection and enforcement capability? (Required by August 15, 2009, S5.C.4.b)

Comments:

-
54. YES ☐ NO ☐ Applied permitting process to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (Required by August 15, 2009, S5.C.4.b)

Comments:

-
55. YES ☐ NO ☐ Reviewed *Stormwater Site Plans* for new development and redevelopment projects? (Required by August 15, 2009, S5.C.4.b.i)
Number of site plans reviewed during the reporting period: _____.

Comments:

-
56. YES ☐ NO ☐ Inspected, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 *Identifying Construction Site Sediment Transport Potential*? (Required by August 15, 2009, S5.C.4.b.ii)
Number of site inspected during the reporting period: _____.

Comments:

57. YES ☐ NO ☐ Inspected construction-phase stormwater controls at all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls? (*Required* by August 15, 2009, S5.C.4.b.iii)

Number of sites inspected during the reporting period: _____.

Comments:

58. YES ☐ NO ☐ Enforced as necessary based on the inspection at new development and redevelopment projects? (*Required* by August 15, 2009, S5.C.4.b.iii)
Number of enforcement actions taken during the reporting period: _____.

Comments:

59. YES ☐ NO ☐ Inspected permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs? (*Required* by August 15, 2009, S5.C.4.b.iv and v)

Number of sites known during the reporting period: _____.

Number of sites inspected during the reporting period: _____.

Comments:

60. YES ☐ NO ☐ Verified a maintenance plan is completed and responsibility for maintenance is assigned? (*Required* by August 15, 2009, S5.C.4.b.iv)

Comments:

61. YES ☐ NO ☐ Enforced as necessary based on the inspection? (*Required* by August 15, 2009, S5.C.4.b.iv)
Number of enforcement actions taken during the reporting period: _____.

Comments:

62. YES ☐ NO ☐ Developed and implemented an enforcement strategy to respond to issues of non-compliance? (*Required* by August 15, 2009, S5.C.4.b.vi)

Comments:

-
63. YES ☐ NO ☐ Did the Permittee choose to allow construction sites to apply the “Erosivity Waiver” in Appendix 1, Minimum Requirement #2? (S5.C.4.b.vii)
If yes, how many waivers were allowed ? _____.

Comments:

-
64. YES ☐ NO ☐ Developed and implemented a long-term operation and maintenance (O&M) program for post-construction stormwater facilities and BMPs? (Required by August 15, 2009, S5.C.4.c)

Comments:

-
65. YES ☐ NO ☐ Adopted an ordinance or other regulatory mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities and establishes enforcement procedures? (Required by August 15, 2009, S5.C.4.c.i)

Comments:

-
66. YES ☐ NO ☐ Inspected post-construction stormwater controls, including structural BMPs, at new development and redevelopment projects? (Required by August 15, 2009, S5.C.4.c)
Number of sites inspected during the reporting period: ____.
Number of structural BMPs inspected during the reporting period: ____.
Number of enforcement actions taken during the reporting period: ____.

Comments:

-
67. YES ☐ NO ☐ Established maintenance standards that are as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington*? (Required by August 15, 2009, S5.C.4.c.ii)

Comments:

-
68. YES ☐ NO ☐ Performed timely maintenance as per S5.C.4.c.ii?
Attach documentation of any maintenance delays. (Required by August 15, 2009, S5.C.4.c.ii)

Comments:

-
69. YES ☐ NO ☐ Annually inspected all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b.

unless there are maintenance records to justify a different frequency?
(Required by August 15, 2009, S5.C.4.c.iii)

Comments:

-
70. YES ☐ NO ☐ If using reduced inspection frequency, **Attached** documentation as per S5.C.4.c.iii? (Required by August 15, 2009, S5.C.4.c.iii)

Comments:

-
71. YES ☐ NO ☐ Inspected all new stormwater treatment and flow control facilities owned or operated, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed? (Required by August 15, 2009, S5.C.4.c.iv)
Number of facilities inspected during the reporting period: ____.

Comments:

-
72. YES ☐ NO ☐ Implemented a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, other enforcement records, maintenance inspections and maintenance activities? (Required by August 15, 2009, S5.C.4.d)

Comments:

-
73. YES ☐ NO ☐ Provided copies of the "Notice of Intent for Construction Activity" and "Notice of Intent for Industrial Activity" to representatives of proposed new development and redevelopment? (S5.C.4.e)

Comments:

-
74. YES ☐ NO ☐ All staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement were trained to conduct these activities? (Required by August 15, 2009, S5.C.4.f)
Number of trainings provided: _____
Number of staff trained: _____

Comments:

75. YES ☐ NO ☐ Developed and implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (Required by February 15, 2010, S5.C.5)

Comments:

76. YES ☐ NO ☐ Adopted maintenance standards as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the 2005 *Stormwater Management Manual for Western Washington*? (Required by February 15, 2010, S5.C.5.a)

Comments:

77. YES ☐ NO ☐ Performed timely maintenance as per S5.C.5.a.ii? **Attach** documentation of any maintenance delays. (Required by February 15, 2010, S5.C.4.c.ii)

Comments:

78. YES ☐ NO ☐ Annually inspected and maintained all stormwater treatment and flow control facilities (other than catch basins)? (Required by February 15, 2010, S5.C.4.c.iii)
Number of known facilities: _____
Number of facilities inspected during the reporting period: _____

Comments:

79. YES ☐ NO ☐ If using reduced inspection frequency, **Attached** documentation as per S5.C.5.a.ii? (Required by February 15, 2010, S5.C.5.a.ii)

Comments:

80. YES ☐ NO ☐ Conducted spot checks of stormwater facilities after major storms?
Number of known facilities: _____
Number of facilities inspected during the reporting period: _____.
(Required by February 15, 2010, S5.C.5.c)

Comments:

81. YES ☐ NO ☐ Inspected municipally owned or operated catch basins at least once before the end of the Permit term? (Required by February 15, 2010, S5.C.5.d)
Number of known catch basins: _____.
Number of inspections: _____.

Number of catch basins cleaned:_____.

Comments:

-
- 82.** YES ☐ NO ☐ Established and implemented practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities conducted by the Permittee? (S5.C.5.f)

Comments:

-
- 83.** YES ☐ NO ☐ Established and implemented policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities? (S5.C.5.g)

Comments:

-
- 84.** YES ☐ NO ☐ Initiated or implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (S5.C.5.h.)
Number of trainings provided: _____
Number of staff trained: _____

Comments:

-
- 85.** YES ☐ NO ☐ Initiated or implemented a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Industrial Stormwater General Permit? (S5.C.5.i)

Comments:

-
- 86.** YES ☐ NO ☐ Is there an approved Total Maximum Daily Load (TMDL) applicable to stormwater discharges from a MS4s owned or operated by the Permittee? (S7)

-
- 87.** YES ☐ NO ☐
NA ☐ Complied with the specific requirements identified in Appendix 2? (S7.A)

Comments:

88. YES ☐ NO ☐ **Attached** status report of TMDL implementation? (S7.A)
NA ☐

Comments:

89. YES ☐ NO ☐ Where monitoring was required in Appendix 2, did you conduct
NA ☐ the monitoring according to a Quality Assurance Project Plan? (S7.A)

Comments:

90. YES ☐ NO ☐ Took appropriate action to correct or minimize the threat to human health
NA ☐ or the environment or otherwise stop or correct the condition of any
instances of non-compliance with any of the terms and conditions of this
Permit, including discharges from the Permittee's MS4 which may cause a
threat to human health or the environment? (G20 and S4.F)

Comments:

91. YES ☐ NO ☐ Notified Ecology of the failure to comply with the permit terms
NA ☐ and conditions within 30 days of becoming aware of the non-compliance?
(G20 and S4.F)

Comments:

92. YES ☐ NO ☐ Notified Ecology immediately in cases where the Permittee becomes
NA ☐ aware of a discharge from the Permittees MS4 which may cause or
contribute to an eminent threat to human health or the environment? (G20
and S4.F)

Comments:

VII. Information Collection, BMP Evaluation, and Monitoring

Complete sections A, B, and C for the Third and all following annual reports. Complete section D below for the fourth annual report only.

A. Information Collection

List below either the results of information collected and analyzed during the reporting period, including monitoring data (if any) and how to contact for additional information OR summarize the results of information collected and indicate how more complete information can be obtained. (S8.B.1., and S9)

B. SWMP Evaluation

You are required to assess the appropriateness of the BMPs you have selected to implement your SWMP. This evaluation is necessary to evaluate whether the MEP standard set by the permit is protective of water quality in your receiving water bodies. This assessment may be entirely qualitative. Select “NA” if you are not yet implementing BMPs for a component of the SWMP. (S8.B.2., and S9)

-
1. YES ☐ NO ☐ Are the BMPs selected and implemented for Public Outreach appropriate
NA ☐ to minimize pollutants in the MS4 to the MEP?

Comments:

-
2. YES ☐ NO ☐ Are the BMPs selected and implemented for Public Involvement
NA ☐ appropriate to minimize pollutants in the MS4 to the MEP?

Comments:

-
3. YES ☐ NO ☐ Are the BMPs selected and implemented for Illicit Discharge Detection
NA ☐ and Elimination appropriate to minimize pollutants in the MS4 to the
MEP?

Comments:

-
4. YES ☐ NO ☐ Are the BMPs selected and implemented for Construction Stormwater
 NA ☐ Pollution Prevention appropriate to minimize pollutants in the MS4 to the
 MEP?

Comments:

-
5. YES ☐ NO ☐ Are the BMPs selected and implemented for Post-Construction Runoff
 NA ☐ Management appropriate to minimize pollutants in the MS4 to the MEP?

Comments:

-
6. YES ☐ NO ☐ Are the BMPs selected and implemented for Good Housekeeping
 NA ☐ for Municipal Operations appropriate to minimize pollutants in the MS4 to
 the MEP?

Comments:

C. Changes in BMPs or objectives (S8.B)

If any of the BMPs or objectives is being changed, list the old BMP and objective, the new BMP and objective, and a justification for the change below. (S8.B.2., and S9)

1. Old BMP:	Old Objective:
2. New BMP:	New Objective:
Justification for change:	
1. Old BMP:	Old Objective:
2. New BMP:	New Objective:
Justification for change:	

D. Preparation for future, long-term monitoring

Complete section D below for the fourth annual report only.

-
1. YES ☐ NO ☐ Identified outfalls or conveyances for long-term stormwater monitoring?
NA ☐ **Attach** site maps and descriptions. (S8.C.2.a)

Comments:

-
2. YES ☐ NO ☐ Identified at least two questions for SWMP effectiveness monitoring and
NA ☐ developed monitoring plans? (S8.C.2.b)
Attach the proposed questions and monitoring plans for SWMP effectiveness monitoring.

Comments:

-
3. YES ☐ NO ☐ Monitoring plan developed for each question? **Attach** a copy of the
NA ☐ monitoring plan. (S8.C.1.b.iii)

Comments:

-
4. YES ☐ NO ☐ Identified sites in preparation for future, long-term monitoring? (S8.C.1.a.,
and S8.C.2.b)
Attach a summary of the status of site identification for long-term stormwater monitoring; proposed questions for SWMP effectiveness monitoring; and status of developing the SWMP effectiveness monitoring plans.

Comments:

ERRATA for Secondary Permittees- First Year Annual Report Form

The following questions in the Secondary Permittee First Year Annual Report Form Appendix 4) are not correct for the reasons listed below. Please follow instructions in the guidance or the Excel file Instructions tab to answer these questions in your annual report.

Section VI Status Report:

1. Questions 2, 3 and 11 - requirements are not yet due.
2. Question 10 - requirement S6.D.5.c was removed from the permit and this condition appears elsewhere with a later due date.
3. The correct permit reference for Question 13 is (S6.D.6.d) and it is not yet due.

APPENDIX C

Acronyms and Definitions

The following definitions and acronyms are taken directly from the Phase II Permit and are reproduced here for the reader's convenience.

AKART means all known, available, and reasonable methods of prevention, control and treatment. **All known, available and reasonable methods of prevention, control and treatment** refers to the State Water Pollution Control Act, Chapter 90.48.010 and 90.48.520 RCW.

Basin Plan is a surface water management process consisting of three parts: a scientific study of the basin's drainage features and their quality; developing actions and recommendations for resolving any deficiencies discovered during the study; and implementing the recommendations, followed by monitoring.

Best Management Practices ("BMPs") are the schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices approved by the Department that, when used singly or in combination, prevent or reduce the release of pollutants and other adverse impacts to waters of Washington State.

BMP means Best Management Practice.

Component or **Program Component** means an element of the Stormwater Management Program listed in S5 Stormwater Management Program for Cities, Towns, and Counties or S6 Stormwater Management Program for Secondary Permittees of this permit.

CWA means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

Discharge for the purpose of this permit means, unless indicated otherwise, any discharge from a MS4 owned or operated by the permittee.

Ecology's Western Washington Phase I Municipal Stormwater Permit regulates discharges from municipal separate storm sewers owned or operated by Clark, King, Pierce and Snohomish Counties, and the cities of Seattle and Tacoma.

Ecology's Western Washington Phase II Municipal Stormwater Permit covers certain "small" municipal separate stormwater sewer systems.

Entity means another governmental body, or public or private organization, such as another permittee, a conservation district, or volunteer organization.

Equivalent document means a technical stormwater management manual developed by a state agency, local government or other entity that includes the Minimum Technical Requirements in Appendix 1 of this Permit. The Department may conditionally approve manuals that do not include the Minimum Technical Requirements in Appendix 1; in general, the Best Management Practices (BMPs) included in those documents may be applied at new development and redevelopment sites, but the Minimum Technical Requirements in Appendix 1 must still be met.

Heavy equipment maintenance or storage yard means an uncovered area where any heavy equipment, such as mowing equipment, excavators, dump trucks, backhoes, or bulldozers are washed or maintained, or where at least five pieces of heavy equipment are stored.

Illicit connection means any man-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

Illicit discharge means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

IDDE- Illicit discharge detection and elimination

Low Impact Development (LID) means a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrologic functions.

Major Municipal Separate Storm Sewer Outfall means a municipal separate storm sewer outfall from a single pipe with an inside diameter of 36 inches or more, or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 12 acres or more).

Material Storage Facilities means an uncovered area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Maximum Extent Practicable (MEP) refers to paragraph 402(p)(3)(B)(iii) of the federal Clean Water Act which reads as follows: Permits for discharges from municipal storm sewers shall require controls to reduce the discharge of pollutants to the maximum extent practicable, including management practices, control techniques, and system, design, and engineering methods, and other such provisions as the Administrator or the State determines appropriate for the control of such pollutants.

MEP means Maximum Extent Practicable.

MTRs means Minimum Technical Requirements.

Municipal Separate Storm Sewer System (MS4) means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

(i) owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over

disposal of wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States.

(ii) designed or used for collecting or conveying stormwater.

(iii) which is not a combined sewer; and (iv) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Notice of Intent (NOI) means the application for, or a request for coverage under this General Permit pursuant to WAC 173-226-200.

Outfall means point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the State and does not include open conveyances connecting two municipal separate storm sewer systems, or pipes, tunnels, or other conveyances which connect segments of the same stream or other waters of the State and are used to convey waters of the State.

O&M- Operations and Maintenance

Permittee unless otherwise noted, the term “Permittee” includes Permittee, Co-Permittee, and Secondary Permittee, as defined below:

- (i) A “Permittee” is a city, town, or county owning or operating a regulated small MS4 applying and receiving a permit as a single entity.
- (ii) A “Co-Permittee” is any operator of a regulated small MS4 that is applying jointly with another applicant for coverage under this Permit. Co-Permittees own or operate a regulated small MS4 located within or adjacent to another regulated small MS4.
- (iii) A “Secondary Permittee” is an operator of regulated small MS4 that is not a city, town or county.

Small Municipal Separate Storm Sewer System or Small MS4 is a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels and/or storm drains which is:

- a. Owned or operated by a city, town, county, district, association or other public body created pursuant to State law having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer districts, flood control districts or drainage districts, or similar entity.
- b. Designed or used for collecting or conveying stormwater.
- c. Not a combined sewer system,
- d. Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.
- e. Not defined as “large” or “medium” pursuant to 40 CFR 122.26(b)(4) & (7) or designated under 40 CFR 122.26 (a)(1)(v).

Small MS4s include systems similar to separate storm sewer systems in municipalities such as: universities, large publicly owned hospitals, prison complexes, highways and other thoroughfares. Storm sewer systems in very discrete areas such as individual buildings do not require coverage under this Permit.

Small MS4s do *not* include storm drain systems operated by non-governmental entities such as: individual buildings, private schools, private colleges, private universities, and industrial and commercial entities.

Stormwater means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

Stormwater Associated with Industrial and Construction Activity means the discharge from any conveyance which is used for collecting and conveying stormwater, which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant, or associated with clearing grading and/or excavation, and is required to have an NPDES permit in accordance with 40 CFR 122.26.

Stormwater Management Manual for Western Washington means the 5-volume technical manual (Publication Nos. 99-11 through 15 for the 2001 version and Publication Nos. 05-10-029-033 for the 2005 version (The 2005 version replaces the 2001 version) prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in storm water.

Stormwater Management Program (SWMP) means a set of actions and activities designed to reduce the discharge of pollutants from the regulated small MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of this Permit and any additional actions necessary to meet the requirements of applicable

Vehicle Maintenance or Storage Facility means an uncovered area where any vehicles are regularly washed or maintained, or where at least 10 vehicles are stored.

City Departments

All- Utilities, Parks, Finance, CAO, PCD/DS, IT, Trans, HR, Civic Services, Fire, City Clerks, Police

CAO- City Attorney's Office

HR- Human Resources

IT- Information Technology

PCD/ DS- Planning and Community Development/ Development Services

Trans- Transportation

APPENDIX D

Ecology's Draft Guidance for City and County Annual Reports for Western Washington Phase II Municipal Stormwater General Permits

Draft

**Guidance for City and County Annual Reports
For Western WA Phase II Municipal Stormwater General Permits**

At the request of several Phase II cities, towns, and counties, the Department of Ecology (Ecology) developed this guidance for preparing annual report submittals required by the **Western Washington Phase II Municipal Stormwater Permit** (February 16, 2007). Ecology does not require you to use this guidance to prepare your annual report submittal.

Annual reports are due to Ecology by March 31 of each year and include three related components:

1. *A written Stormwater Management Program (SWMP) Document*
 - The SWMP document (S9.1) to meet the description in permit section S5.A.2.
2. *Annual Report Form**
 - Completed Annual Report form (Phase II Appendix 3) to meet S9.2 requirements.
3. *Annual Report Supplemental Documentation**
 - Attachments of documentation necessary to respond to specific questions in the Annual Report form, including information associated with S9.3 requirements (changes in geographic boundaries and implications for the SWMP).

*NOTE: This guidance document currently discusses the SWMP document submittal, only. Additional guidance for preparing the *Annual Report Form* and the *Annual Report Supplemental Documentation* are under development and will be available in late 2007.

Guidance for Preparing the SWMP Document

This section of the guidance document outlines Ecology's suggestions on the appropriate content and level of detail for your written SWMP document. **The written SWMP document is a planning and implementation document, not a detailed report of past activities. It should describe how your jurisdiction plans to meet permit requirements.**

Excerpt from the Western Washington Phase II Municipal Stormwater Permit

S5. STORMWATER MANAGEMENT PROGRAM FOR CITIES, TOWNS AND COUNTIES

- A. Each Permittee shall develop and implement a Stormwater Management Program (SWMP). A SWMP is a set of actions and activities comprising the components listed in S5.B. and S5.C.1. through S5.C.5., and any additional actions necessary to meet the requirements of applicable TMDLs (see S7)...
2. Each Permittee shall prepare written documentation of the SWMP. The SWMP documentation shall be organized according to the program components in S5.C. and shall be updated at least annually for submittal with the Permittee's annual reports to Ecology (see *S9 Reporting and Record Keeping*). The SWMP documentation shall include:
 - a. A description of each of the program components included in S5.C., and
 - b. Any additional actions implemented by the Permittee pursuant to S5.C., and
 - c. Any additional actions necessary to meet the requirements of applicable TMDLs pursuant to *S7 Compliance with Total Maximum Daily Load Requirements*.

Aims of the SWMP Document

The SWMP document should accomplish the following:

1. Provide written documentation on your community's efforts to manage stormwater effectively, both through the required permit elements and related activities.
2. Communicate to community members what you are doing and planning to do to manage stormwater.
3. Assist you in your program planning process and implementation efforts.

Each of the three aims of the SWMP document is geared toward a different intended audience: Ecology; the public; and your municipal staff and officials.

General Reminders for preparing a SWMP Document

1. Organize the SWMP document to follow the program components as they are organized in the permit. Keep your descriptions brief and to the point. This is especially important for the benefit of your public audience.
2. Consider all of your key audiences when determining what information to include in the SWMP document.
3. Indicate specific activities that are happening or planned for at least the upcoming year under each program component. The activities you describe should, in accordance with the permit, “reduce the discharge of pollutants from regulated small MS4s to the maximum extent practicable (MEP), meet state AKART requirements, and protect water quality.” You may also identify activities that build program capacity (e.g. staffing, equipment procurement, etc.).
4. For each specific program component or activity, note which programs or departments are involved in implementation.
5. Reference other documents, policy statements, codes, ordinances, etc. There is no need to repeat information in the SWMP document that is explained sufficiently in another publicly accessible document.
6. Clearly identify additional activities (i.e., beyond the stated minimum measures for each section of S5.C. in your permit) that your community implements to support the focus of the specific program component.
7. Point out where you are coordinating with other regulated entities to implement any particular program component (or additional activity). Note specific coordination mechanisms, activities, program, policies, and projects. Clarify who is doing what. Specifically identify which coordination activities are happening within your jurisdiction and with neighboring jurisdictions.
8. Identify how you are relying on another entity to implement any given program component.
9. Set aside sufficient time each year to update the SWMP document.
10. If the questions in this guidance refer to program components with implementation deadlines that have not yet passed, then you need not answer them. If you choose to do so, please describe your early efforts to meet those requirements. Over time, Ecology expects that your SWMP document describes more program implementation activities and fewer program planning activities.

Guidance for the Annual Report Form (Appendix 3)*

Guidance for the Annual Report Supplemental Documentation*

**These guidance documents are currently under development and will be available in the fall of 2007.*

APPENDIX E

City of Bellevue 2007 Annual Compliance Report

I. Permittee Information	
Permittee Name City of Bellevue	Permittee Coverage Number WAR04-5504
Contact Name Phyllis Varner	Phone Number 425-452-7683
Mailing Address P.O. Box 90012	
City Bellevue	State Zip + 4 WA 98009-9012
Email Address pvarner@bellevuewa.gov	

II. Regulated Small MS4 Location							
Jurisdiction City of Bellevue	Entity Type: Check the box that applies <table border="1"> <tr> <th>County</th> <th>City/Town</th> <th>Other</th> </tr> <tr> <td></td> <td>X</td> <td></td> </tr> </table>	County	City/Town	Other		X	
County	City/Town	Other					
	X						
Major Receiving Water(s) All streams in Bellevue are tributaries to Lake Washington or Lake Sammamish. See www.bellevuewa.gov for stream information.							

III. Relying on another Governmental Entity	
<p>If you are relying on another governmental entity to satisfy one or more of the permit obligations, list the entity and briefly describe the permit obligation(s) they are implementing on your behalf below. <i>Attach a copy of your agreement with the other entity to provide additional detail.</i></p>	
Name of Entity:	Permit Obligation(s):

IV. Certification

All annual reports must be signed and certified by the responsible official(s) of permittee or co-permittees. Please print and sign this page of the reporting form and mail it (with an original signature) to Ecology at the address noted below. An electronic signature will not suffice.

I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that Qualified Personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for willful violations.

Name	<u>Steve Sarkozy</u>	Title	<u>Bellevue City Manager</u>	Date	<u>CM signs for submittal by 3/31/08 deadline.</u>
Name	<u></u>	Title	<u></u>	Date	<u></u>
Name	<u></u>	Title	<u></u>	Date	<u></u>
Name	<u></u>	Title	<u></u>	Date	<u></u>
Name	<u></u>	Title	<u></u>	Date	<u></u>

PLEASE label any information in attachments with corresponding question numbers.

NOTE: Items that have future compliance dates must still be answered to indicate status.

NOTE: Some [bracketed language] is included to provide clarification or to address errors.

PLEASE indicate reporting year and your jurisdiction in Line 1, above.

PLEASE refer to the INSTRUCTIONS tab for assistance filling out this table.

PLEASE review your work for completeness and accuracy. Save this worksheet as you go!

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, if applicable
1. Attached annual written update of Permittee's Stormwater Management Program (SWMP), including applicable requirements under S5.A.2 and S9?	Y			City of Bellevue 2008 Stormwater Management Program (SWMP)
2. Attached a copy of any annexations, incorporations or boundary changes resulting in an increase or decrease in the Permittee's geographic area of permit coverage during the reporting period, and implications for the SWMP as per S9.E.3?	N		No annexations during the reporting period.	
3. Implemented an ongoing program for gathering, tracking, maintaining, and using information to evaluate SWMP development, implementation and permit compliance and to set priorities? (S5.A.3)	N		Requirement is not yet due.	
4. Began tracking costs or estimated costs of the development and implementation of the SWMP? (<i>Required</i> no later than January 1, 2009, S5.A.3.a)	N		Requirement is not yet due.	
5. SWMP includes an education program aimed at residents, businesses, industries, elected officials, policy makers, planning staff and other employees of the Permittee? (S5.C.1)	N		Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
6.	Distributed appropriate information to target audiences identified in the area served by the MS4? (<i>Required</i> by February 15, 2009, S5.C.1.a)	N		Requirement is not yet due.	
6b.	Please mark a Y next to audiences targeted in Y/N/NA box:				
i	General Public	N		Requirement is not yet due.	
ii	Home-based business	N		Requirement is not yet due.	
iii	Elected officials	N		Requirement is not yet due.	
iv	Developers	N		Requirement is not yet due.	
v	Contractors	N		Requirement is not yet due.	
vi	Permittee Employees	N		Requirement is not yet due.	
vii	Residents	N		Requirement is not yet due.	
viii	Businesses	N		Requirement is not yet due.	
ix	Policy makers	N		Requirement is not yet due.	
x	Engineers	N		Requirement is not yet due.	
xi	Property managers	N		Requirement is not yet due.	
xii	Homeowners	N		Requirement is not yet due.	
xiii	Mobile businesses	N		Requirement is not yet due.	
xiv	Industries	N		Requirement is not yet due.	
xv	Landscapers	N		Requirement is not yet due.	
xvi	Planning Staff	N		Requirement is not yet due.	
7.	Tracked the types of public education and outreach activities implemented? (<i>Required</i> by February 15, 2009, S5.C.1.b and S5.A.3.b)	N		Requirement is not yet due.	
7b.	Number of activities implemented:		0	Requirement is not yet due.	
8.	Measured the understanding and adoption of the targeted behaviors among targeted audiences? (<i>Required</i> by February 15, 2009, S5.C.1.b)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>	
9.	Provided opportunities for the public to participate in the decision making processes involving the development, implementation and updates of the Permittee’s SWMP? (Required by February 15, 2008, S5.C.2.a)	N		Requirement is not yet due. Note: Opportunities for public participation in the 2008 Stormwater Management Program development were provided.	
10.	Developed and implemented a process for public involvement and consideration of public comments on the SWMP? (Required by February 15, 2008, S5.C.2.a)	N		Requirement is not yet due.	
11.	Made the most current version of the SWMP available to the public? (S5.C.2.b)	Y			
12.	Posted the SWMP on your website? (S5.C.2.b)	Y			
12b.	NOTE website address in <i>Attachment</i> field:				www.bellevuewa.gov
13.	Initiated or implemented an ongoing program to detect and remove illicit connections and illegal discharges into the Permittee’s MS4? (Required August 19, 2011, S5.C.3)	N		Requirement is not yet due.	
14.	Developed and currently maintain a map of your MS4? (Required by February 15, 2011, S5.C.3.a)	N		Requirement is not yet due.	
14b.	[Initiated a program to develop and maintain a map of all connections to the MS4 authorized or allowed by the Permittee after the Permit effective date? (S5.C.3.a.ii)]	Y		A program is initiated.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
15. Map shows the location of all known municipal separate storm sewer outfalls, receiving waters and structural stormwater BMPs owned, operated, or maintained by the Permittee? (<i>Required</i> by February 15, 2011, S5.C.3.a.i)	N		Requirement is not yet due.	
16. Map shows all storm sewer outfalls with a 24 inch nominal diameter or larger, or an equivalent cross-sectional area for non-pipe systems and includes tributary conveyances, associated drainage areas and land use? (<i>Required</i> by February 15, 2011, S5.C.3.a.i)	N		Requirement is not yet due.	
17. Map shows geographic areas served by the Permittee's MS4 that do not discharge stormwater to surface waters? (<i>Required</i> by February 15, 2011, S5.C.3.a.iii)	N		Requirement is not yet due.	
18. Map has been made available upon request? (S5.C.3.a.iv)	N		Requirement is not yet due.	
19. Developed and implemented regulatory actions necessary to effectively prohibit non-stormwater, illegal discharges, and/or dumping into the Permittee's MS4? (<i>Required</i> by August 15, 2009, S5.C.3.b)	N		Requirement is not yet due.	
20. Developed and implemented an ongoing program to detect and address non-stormwater discharges, spills, illicit connections and illegal dumping into the Permittee's MS4? (<i>Required</i> by August 19, 2011, S5.C.3.c)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
21. Developed procedures for locating priority areas likely to have illicit discharges, including at a minimum: evaluating land uses and associated business/industrial activities present; areas where complaints have been registered in the past; and areas with storage of large quantities of materials that could result in spills? (<i>Required</i> by August 19, 2011, S5.C.3.c.i)	N		Requirement is not yet due.	
22. Implemented field assessment activities, including visual inspection of priority outfalls identified during dry weather, and for the purposes of verifying outfall locations, identified previously unknown outfalls, and detected illicit discharges? (<i>Required</i> by August 19, 2011, S5.C.3.c.ii)	N		Requirement is not yet due.	
23. Prioritized receiving waters for visual inspection? (<i>Required</i> by February 15, 2010, S5.C.3.c.ii)	N		Requirement is not yet due.	
24. Conducted field assessments for three high priority water bodies? (<i>Required</i> by February 15, 2011, S5.C.3.c.ii)	N		Requirement is not yet due.	
25. Conducted field assessments on at least one high priority water body? (<i>Required</i> annually after February 15, 2011, S5.C.3.c.ii)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
26. Developed and implemented procedures for characterizing the nature of, and potential public or environmental threat posed by, any illicit discharges found by or reported to the Permittee? (<i>Required</i> by August 19, 2011, S5.C.3.c.iii)	N		Requirement is not yet due.	
27. Developed and implemented procedures for tracing the source of an illicit discharge; including visual inspections, and when necessary, opening manholes, using mobile cameras, collecting and analyzing water samples, and/or other detailed inspection procedures? (<i>Required</i> by August 19, 2011, S5.C.3.c.iv)	N		Requirement is not yet due.	
28. Developed and implemented procedures for removing the source of the discharge, including notification of appropriate authorities; notification of the property owner; technical assistance for eliminating the discharge; follow-up inspections; and escalating enforcement and legal actions if the discharge is not eliminated? (<i>Required</i> by August 19, 2011, S5.C.3.c.v.)	N		Requirement is not yet due.	
29. Informed public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste? (<i>Required</i> by August 19, 2011, S5.C.3.d)	N		Requirement is not yet due.	
30. Distributed appropriate information to target audiences identified pursuant to S5.C.1? (<i>Required</i> by August 19, 2011, S5.C.3.d.i)	N		Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
31.	Publicized a hotline or other local telephone number for public reporting of spills and other illicit discharges? (<i>Required</i> by February 15, 2009, S5.C.3.d.ii)	N		Requirement is not yet due.	
31b.	Number of calls received:		0	Requirement is not yet due.	
31c.	Number of follow-up actions taken:		0	Requirement is not yet due.	
32	Tracked the number and type of spills? (<i>Required</i> by August 19, 2011, S5.C.3.e)	N		Requirement is not yet due.	
32b.	Number of spills:		0	Requirement is not yet due.	
33	Tracked the number of illicit discharges identified? (<i>Required</i> by August 19, 2011, S5.C.3.e)	N		Requirement is not yet due.	
33b.	Number of illicit discharges identified:		0	Requirement is not yet due.	
34	Tracked the number inspections made for illicit connections? (<i>Required</i> by August 19, 2011, S5.C.3.e)	N		Requirement is not yet due.	
34b.	Number of inspections:		0	Requirement is not yet due.	
35	Received feedback from [IDDE] public education efforts? (<i>Required</i> by August 19, 2011, S5.C.3.e)	N		Requirement is not yet due.	
36	Attached report on [IDDE] public education efforts? (<i>Required</i> by August 19, 2011, S5.C.3.d, S5.C.3.e)	N		Requirement is not yet due.	
37	Municipal field staff responsible for identification, investigation, termination, cleanup, and reporting of illicit discharges, improper disposal and illicit connections are trained to conduct these activities? (<i>Required</i> by August 15, 2009, S5.C.3.f.i)	N		Requirement is not yet due.	
37b.	Number of trainings provided:		0	Requirement is not yet due.	
37c.	Number of staff trained:		0	Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
38	Provided follow-up training as needed to address changes in procedures, techniques or requirements? (<i>Required</i> by August 15, 2009, S5.C.3.f.i)	N		Requirement is not yet due.	
38b.	Number of trainings provided:		0	Requirement is not yet due.	
38c.	Number of staff trained:		0	Requirement is not yet due.	
39	Developed and implemented an ongoing training program on the identification of an illicit discharge/connection, and on the proper procedures for reporting and responding to the illicit discharge/ connection for all municipal field staff, which, as part of their normal job responsibilities, might come into contact with or otherwise observe an illicit discharge or illicit connection to the storm sewer system? (<i>Required</i> by February 15, 2010, S5.C.3.f.ii.)	N		Requirement is not yet due.	
39b.	Number of trainings provided:		0	Requirement is not yet due.	
39c.	Number of staff trained:		0	Requirement is not yet due.	
40	Developed, implemented and enforced a program to reduce pollutants in stormwater runoff to a regulated small MS4 from new development, redevelopment and construction site activities? (<i>Required</i> by August 15, 2009, S5.C.4)	N		Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
41	Applied stormwater runoff program to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (<i>Required by August 15, 2009, S5.C.4</i>)	N		Requirement is not yet due.	
42	Applied stormwater runoff program to private and public development, including roads? (<i>Required by August 15, 2009, S5.C.4</i>)	N		Requirement is not yet due.	
43	Applied the Technical Thresholds in Appendix 1 to all sites 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (<i>Required by August 15, 2009, S5.C.4</i>)	N		Requirement is not yet due.	
44	Adopted and implemented regulatory mechanism (such as an ordinance) necessary to address run-off from new development, redevelopment and construction site activities? (<i>Required by August 15, 2009, S5.C.4.a</i>)	N		Requirement is not yet due.	
45	Retained existing local requirements to apply stormwater controls at smaller sites or at lower thresholds than required pursuant to S5.C.4?	Y			

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
46	The ordinance or other enforceable mechanism includes the minimum requirements, technical thresholds, and definitions in Appendix 1 (or an equivalent approved by Ecology under the NPDES Phase I Municipal Stormwater Permit) for new development, redevelopment, and construction sites? (<i>Required</i> by August 15, 2009, S5.C.4.a.i)	N		Requirement is not yet due.	
47	The ordinance or other enforceable mechanism includes exceptions and variance criteria equivalent to those in Appendix 1? (<i>Required</i> by August 15, 2009, S5.C.4.a.i., and Section 6 of Appendix 1)	N		Requirement is not yet due.	
48	Were exceptions or variances to the minimum requirements in Appendix 1 granted? (<i>Required</i> by August 15, 2009, S5.C.4.a.i., and Section 6 of Appendix 1)	N		Requirement is not yet due.	
48b.	If so, how many were granted?		0	Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>	
49	The ordinance or other enforceable mechanism includes a site planning process and BMP selection and design criteria that, when used to implement the minimum requirements in Appendix 1 (or equivalent approved by Ecology under the Phase I Permit) will protect water quality, reduce the discharge of pollutants to the maximum extent practicable and satisfy the State requirement under Chapter 90.48 RCW to apply all known, available and reasonable methods of prevention, control and treatment (AKART) prior to discharge? (<i>Required</i> by August 15, 2009, S5.C.4.a.ii)	N		Requirement is not yet due.	
49b.	Cite documentation to meet this requirement in <i>Attachment</i> field:			Requirement is not yet due.	
50	The ordinance or other enforceable mechanism provides the legal authority, through the approval process for new development, to inspect private stormwater facilities that discharge to the Permittee’s MS4? (<i>Required</i> by August 15, 2009, S5.C.4.a.iii)	N		Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
51	The ordinance or other enforceable mechanism allows non-structural preventive actions and source reduction approaches such as Low Impact Development (LID) Techniques to minimize the creation of impervious surfaces and minimize the disturbance of native soils and vegetation? (<i>Required</i> by August 15, 2009, S5.C.4.a.iv)	N		Requirement is not yet due.	
52	If the ordinance or regulatory mechanism allows construction sites to apply the Erosivity Waiver in Appendix 1, Minimum Requirement #2, does it include appropriate, escalating enforcement sanctions for construction sites that provide notice to the Permittee of their intention to apply the waiver but do not meet the requirements (including timeframe restrictions, limits on activities that result in non-stormwater discharges, and implementation of appropriate BMPs to prevent violations of water quality standards) to qualify for the waiver? (If waiver is allowed, the qualification is <i>required</i> by August 15, 2009, S5.C.4.a.v)	N		Requirement is not yet due.	
53	Developed and implemented a permitting process to address runoff from new development, redevelopment and construction site activities with plan review, inspection, and enforcement capability? (<i>Required</i> by August 15, 2009, S5.C.4.b)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
54 Applied permitting process to all sites that disturb a land area 1 acre or greater, including projects less than one acre that are part of a larger common plan of the development or sale? (<i>Required</i> by August 15, 2009, S5.C.4.b)	N		Requirement is not yet due.	
55 Reviewed Stormwater Site Plans for new development and redevelopment projects? (<i>Required</i> by August 15, 2009, S5.C.4.b.i)	N		Requirement is not yet due.	
55b. Number of site plans reviewed during the reporting period:		0	Requirement is not yet due.	
56 Inspected, prior to clearing and construction, all known development sites that have a high potential for sediment transport as determined through plan review based on definitions and requirements in Appendix 7 Determining Construction Site Sediment Potential? (<i>Required</i> by August 15, 2009, S5.C.4.b.ii)	N		Requirement is not yet due.	
56b. Number of [qualifying] sites inspected [prior to clearing and construction] during the reporting period:		0	Requirement is not yet due.	
57 Inspected construction-phase stormwater controls at all known permitted development sites during construction to verify proper installation and maintenance of required erosion and sediment controls? (<i>Required</i> by August 15, 2009, S5.C.4.b.iii)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
57b. Number of sites inspected during [the construction phase for] the reporting period:		0	Requirement is not yet due.	
58 Enforced as necessary based on the inspection at new development and redevelopment projects? (<i>Required</i> by August 15, 2009, S5.C.4.b.iii)	N		Requirement is not yet due.	
58b. Number of enforcement actions taken during the reporting period:		0	Requirement is not yet due.	
59 Inspected [qualifying] permitted development sites upon completion of construction and prior to final approval or occupancy to ensure proper installation of permanent stormwater controls such as stormwater facilities and structural BMPs? (<i>Required</i> by August 15, 2009, S5.C.4.b.iv and v)	N		Requirement is not yet due.	
59b. Number of [qualifying] sites known during the reporting period:		0	Requirement is not yet due.	
59c. Number of [qualifying] sites inspected during the reporting period:		0	Requirement is not yet due.	
60 Verified a maintenance plan is completed and responsibility for maintenance is assigned [for qualifying projects]? (<i>Required</i> by August 15, 2009, S5.C.4.b.iv)	N		Requirement is not yet due.	
61 Enforced [regulations] as necessary based on the inspection? (<i>Required</i> by August 15, 2009, S5.C.4.b.iv)	N		Requirement is not yet due.	
61b. Number of enforcement actions taken during the reporting period:		0	Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
62	Developed and implemented an enforcement strategy to respond to issues of non-compliance [with the regulations for qualifying projects]? (Required by August 15, 2009, S5.C.4.b.vi)	N		Requirement is not yet due.	
63	Did the Permittee choose to allow construction sites to apply the Erosivity Waiver in Appendix 1, Minimum Requirement #2? (S5.C.4.b.vii)	N		Requirement is not yet due.	
63b.	If yes, how many waivers were allowed ?		0	Requirement is not yet due.	
64	Developed and implemented a long-term operation and maintenance (O&M) program for post-construction stormwater facilities and BMPs? (Required by August 15, 2009, S5.C.4.c)	N		Requirement is not yet due.	
65	Adopted an ordinance or other regulatory mechanism that clearly identifies the party responsible for maintenance, requires inspection of facilities and establishes enforcement procedures? (Required by August 15, 2009, S5.C.4.c.i)	N		Requirement is not yet due.	
66	Inspected post-construction stormwater controls, including structural BMPs, at new development and redevelopment projects? (Required by August 15, 2009, S5.C.4.c)	N		Requirement is not yet due.	
66b.	Number of sites inspected during the reporting period:		0	Requirement is not yet due.	
66c.	Number of structural BMPs inspected during the reporting period:		0	Requirement is not yet due.	
66d.	Number of enforcement actions taken during the reporting period:		0	Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
67 Established maintenance standards that are as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the 2005 Stormwater Management Manual for Western Washington ? (<i>Required</i> by August 15, 2009, S5.C.4.c.ii)	N		Requirement is not yet due.	
68 Performed timely maintenance as per S5.C.4.c.ii? (<i>Required</i> by August 15, 2009, S5.C.4.c.ii)	N		Requirement is not yet due.	
68b. Attached documentation of any maintenance delays. (<i>Required</i> by August 15, 2009, S5.C.4.c.ii)	N		Requirement is not yet due.	
69 Annually inspected all stormwater treatment and flow control facilities (other than catch basins) permitted by the Permittee according to S5.C.4.b. unless there are maintenance records to justify a different frequency? (<i>Required</i> by August 15, 2009, S5.C.4.c.iii)	N		Requirement is not yet due.	
70 If using reduced inspection frequency, Attached documentation as per S5.C.4.c.iii? (<i>Required</i> by August 15, 2009, S5.C.4.c.iii)	N		Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>	
71	Inspected all new stormwater treatment and flow control facilities owned or operated, including catch basins, for new residential developments that are a part of a larger common plan of development or sale, every 6 months during the period of heaviest house construction (i.e., 1 to 2 years following subdivision approval) to identify maintenance needs and enforce compliance with maintenance standards as needed? (<i>Required</i> by August 15, 2009, S5.C.4.c.iv)	N		Requirement is not yet due.	
71b.	Number of facilities inspected during the reporting period:		0	Requirement is not yet due.	
72	Implemented a procedure for keeping records of inspections and enforcement actions by staff, including inspection reports, warning letters, notices of violations, other enforcement records, maintenance inspections and maintenance activities? (<i>Required</i> by August 15, 2009, S5.C.4.d)	N		Requirement is not yet due.	
73	Provided copies of the Notice of Intent for Construction Activity and Notice of Intent for Industrial Activity to representatives of proposed new development and redevelopment? (S5.C.4.e)	Y			

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
74 All staff responsible for implementing the program to control stormwater runoff from new development, redevelopment, and construction sites, including permitting, plan review, construction site inspections, and enforcement were trained to conduct these activities? (<i>Required</i> by August 15, 2009, S5.C.4.f)	N		Requirement is not yet due.	
74b. Number of trainings provided:		0	Requirement is not yet due.	
74c. Number of staff trained:		0	Requirement is not yet due.	
75 Developed and implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (<i>Required</i> by February 15, 2010, S5.C.5)	N		Requirement is not yet due.	
76 Adopted maintenance standards as protective, or more protective, of facility function as those specified in Chapter 4 of Volume V of the 2005 Stormwater Management Manual for Western Washington ? (<i>Required</i> by February 15, 2010, S5.C.5.a)	N		Requirement is not yet due.	
77 Performed timely maintenance as per S5.C.5.a.ii? (<i>Required</i> by February 15, 2010, S5.C.5.a.ii)	N		Requirement is not yet due.	
77b. Attached documentation of any maintenance delays. (<i>Required</i> by February 15, 2010, S5.C.5.a.ii)	N		Requirement is not yet due.	

Question		Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
78	Annually inspected and maintained all stormwater treatment and flow control facilities (other than catch basins)? <i>(Required by February 15, 2010, S5.C.4.c.iii)</i>	N		Requirement is not yet due.	
78b.	Number of known facilities:		0	Requirement is not yet due.	
78c.	Number of facilities inspected during the reporting period:		0	Requirement is not yet due.	
79	If using reduced inspection frequency, Attached documentation as per S5.C.5.a.ii? <i>(Required by February 15, 2010, S5.C.5.b)</i>	N		Requirement is not yet due.	
80	Conducted spot checks of stormwater facilities after major storms? <i>(Required by February 15, 2010, S5.C.5.c)</i>	N		Requirement is not yet due.	
80b.	Number of known facilities:		0	Requirement is not yet due.	
80c.	Number of facilities inspected during the reporting period:		0	Requirement is not yet due.	
81	Inspected municipally owned or operated catch basins at least once before the end of the Permit term? <i>(Required by February 15, 2010, S5.C.5.d)</i>	N		Requirement is not yet due.	
81b.	Number of known catch basins:		0	Requirement is not yet due.	
81c.	Number of inspections:		0	Requirement is not yet due.	
81d.	Number of catch basins cleaned:		0	Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
82 Established and implemented practices to reduce stormwater impacts associated with runoff from streets, parking lots, roads or highways owned or maintained by the Permittee, and road maintenance activities conducted by the Permittee? (<i>Required by February 15, 2010, S5.C.5.f</i>)	N		Requirement is not yet due.	
83 Established and implemented policies and procedures to reduce pollutants in discharges from all lands owned or maintained by the Permittee and subject to this Permit, including but not limited to: parks, open space, road right-of-way, maintenance yards, and stormwater treatment and flow control facilities? (<i>Required by February 15, 2010, S5.C.5.g</i>)	N		Requirement is not yet due.	
84 Initiated or implemented an operations and maintenance (O&M) program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations? (<i>Required by February 15, 2010, S5.C.5.h.</i>)	N		Requirement is not yet due.	
84b. Number of trainings provided:		0	Requirement is not yet due.	
84c. Number of staff trained:		0	Requirement is not yet due.	

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
85 Initiated or implemented a Stormwater Pollution Prevention Plan (SWPPP) for all heavy equipment maintenance or storage yards, and material storage facilities owned or operated by the Permittee in areas subject to this Permit that are not required to have coverage under the Industrial Stormwater General Permit? (<i>Required by February 15, 2010</i> , S5.C.5.i)	N		Requirement is not yet due.	
86 Is there an approved Total Maximum Daily Load (TMDL) applicable to stormwater discharges from a MS4s owned or operated by the Permittee?	N		Requirement does not apply.	
87 Complied with the specific requirements identified in Appendix 2? (S7.A)	NA		Requirement does not apply.	
88 Attached status report of TMDL implementation? (S7.A)	NA		Requirement does not apply.	
89 Where monitoring was required in Appendix 2, did you conduct the monitoring according to a Quality Assurance Project Plan? (S7.A)	NA		Requirement does not apply.	
90 Took appropriate action to correct or minimize the threat to human health or the environment or otherwise stop or correct the condition of any instances of non-compliance with any of the terms and conditions of this Permit, including discharges from the Permittee's MS4 which may cause a threat to human health or the environment? (G20 and S4.F)	N/A			

Question	Y/N/ NA	#	Comments (50 word limit)	Name of Attachment & Page #, <u>if applicable</u>
90b.	[Attached a summary of the status of implementation of any actions taken pursuant to S4.F and any information from an assessment and evaluation procedures collected during the reporting period. (S4.F.2.d)]	N/A		
91	Notified Ecology of the failure to comply with the permit terms and conditions within 30 days of becoming aware of the non-compliance? (G20 and S4.F)	NA		
92	Notified Ecology immediately in cases where the Permittee becomes aware of a discharge from the Permittees MS4 which may cause or contribute to an eminent threat to human health or the environment? (G20 and S4.F)	NA		

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part A for all annual reports.

NOTE: Please note in Row 1 of the table if you have no information to report.

NOTE: Please limit your entries to 255 characters per cell. You may include additional information in your Supplemental Documentation attachment and reference it below with the page number.

A. Information Collection

Briefly describe any stormwater monitoring, studies, or type of information collected and analyzed during the reporting period. (S8.B.1)		Who/how to contact for additional information?
1.	Paired water quality samples taken up and downstream of park sites.	Phyllis Varner 425-452-7683
2.		
3.		
4.		
5.		
6.		

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part B for all annual reports.

B. SWMP Evaluation

You are required to assess the appropriateness of the BMPs you have selected to implement your SWMP. This evaluation is necessary to evaluate whether the MEP standard set by the permit is protective of water quality in your receiving water bodies. This assessment may be entirely qualitative. Select “NA” if you are not yet implementing BMPs for a component of the SWMP. (S8.B.2., and S9)

Question	Y/N/NA	Comments (50 word limit)
1. Are the BMPs selected and implemented for Public Outreach appropriate to minimize pollutants in the MS4 to the MEP?	NA	
2. Are the BMPs selected and implemented for Public Involvement appropriate to minimize pollutants in the MS4 to the MEP?	NA	
3. Are the BMPs selected and implemented for Illicit Discharge Detection and Elimination appropriate to minimize pollutants in the MS4 to the MEP?	NA	
4. Are the BMPs selected and implemented for Construction Stormwater Pollution Prevention appropriate to minimize pollutants in the MS4 to the MEP?	NA	
5. Are the BMPs selected and implemented for Post-Construction Runoff Management appropriate to minimize pollutants in the MS4 to the MEP?	NA	
6. Are the BMPs selected and implemented for Good Housekeeping for Municipal Operations appropriate to minimize pollutants in the MS4 to the MEP?	NA	

VII. Information Collection, BMP Evaluation, and Monitoring

Complete Part C for all annual reports.

C. Changes in BMPs or objectives (S8.B)

If any of the BMPs or objectives is being changed, list the old BMP and objective, the new BMP and objective, and a justification for the change below. (S8.B.2., and S9)

NOTE: You may choose to attach additional documentation justifying Changes in BMPs or objectives. Note such attachments in the *Justification for change* field.

Old BMP		Old Objective	New BMP	New Objective	Justification for Change
1	No changes				
2					
3					
4					
5					
6					
7					

VII. Information Collection, BMP Evaluation, and Monitoring

D. Preparation for future, long-term monitoring

Complete section D for the fourth annual report only.

Question	Y/N/NA	Comments (50 word limit)	Name of Attachment? Page Number?
1. Identified outfalls or conveyances for long-term stormwater monitoring?			
1b. Attach site maps and descriptions. (S8.C.2.a)			
2. Identified at least two questions for SWMP effectiveness monitoring and developed monitoring plans? (S8.C.2.b)			
2b. Attach the proposed questions and monitoring plans for SWMP effectiveness monitoring.			
3. Monitoring plan developed for each question? (S8.C.1.b.iii)			
3b. Attach a copy of the monitoring plan.			
4. Identified sites in preparation for future, long-term monitoring? (S8.C.1.a., and S8.C.2.b)			
4b. Attach a summary of the status of site identification for long-term stormwater monitoring; proposed questions for SWMP effectiveness monitoring; and status of developing the SWMP effectiveness monitoring plans.			